The City Council of the City of Raleigh met in regular session on Tuesday, October 4, 1983 at 1:00 p.m. in the City Council Chambers of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb
Mr. Calloway
Mr. Edwards
Mr. Jordan (Arrived Late)
Mr. Keller
Mr. Walters
Mr. Upchurch (Arrived Late)

Mayor York called the meeting to order and invocation was rendered by the Reverend Cally Rogers-Witte, Community United Church of Christ, after which the following matters were discussed with action taken as shown.

Mayor York indicated Mr. Upchurch had called and stated he would be a little late for the meeting.

RECOGNITION OF SPECIAL AWARDS

LIONS PARK - BMX MOTOCROSS TRACK - CONTRIBUTION RECEIVED

Randolph Cloud and Marion Berkley representing the Raleigh Host Lions Club was at the meeting and presented a check in the amount of $1000 for the Lions Park BMX Motocross Track. Bill Singletary representing the Parks and Recreation Department indicated the Raleigh Host Lions Club is one of the most active civic clubs as it relates to participation in funding for the Raleigh Parks and Recreation Department. He indicated they had contributed to the construction of this track and over 500 kids utilize it. He indicated the Club had also given money for a basketball slab and other items at Lions Park. He expressed appreciation on behalf of the City.

ORDINANCE NO. (1983) - 191

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget be amended as follows to reflect acceptance of contribution for BMX-Bike Trail - Lions Park:

Income:	37-1-0070-0200	Park Improvement	$1,000.00
Expense:	37-2-8994-0100	Lions Park	$1,000.00

Adopted: 10/4/83

NATIONAL SPORTS FESTIVAL - JOINT RESOLUTION ANNOUNCED

Mayor York indicated sometime back, the City Council adopted a resolution relating to the National Sports Festival. He indicated the resolution has now been signed by the Mayor of the Town of Chapel Hill and the Mayor of the City of Durham. Mayor York read the resolution in full. Hill Carrow was present to accept the resolution. He explained the National Sports Festival is held during July of each year that the Olympic games are not being held and it involves some 33 different sports. He stated the resolution invites the National Sports Festival to be held in the Triangle Area in 1985, 1986 or 1987. He indicated we still have to raise approximately $1,000,000 from private sources to get the sports festival to be held in this area. He explained what the sports festival had meant in terms of dollars brought into the community in Minneapolis recently. He pointed out 14 cities have applied and that will be reduced to 7 or 8 and another visit will be made to each city prior to the selection. Mr. Carrow expressed appreciation to Mayor York for spearheading the effort to get the joint resolution adopted by the cities of the Triangle area.

MR. JORDAN ARRIVED AT THE MEETING AT 1:10 P.M.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Consent Agenda indicating all items on the Consent Agenda are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. The vote on the Consent Agenda will be a roll call vote. Mayor York indicated Council Members had received a letter on Bid Request 83-21 - Word Processing System, therefore he would ask that it be withdrawn from the Consent

Agenda. Without objection the item was withdrawn. Mr. Calloway MOVED THAT ADMINISTRATION'S RECOMMENDATION ON THE REMAINING ITEMS ON THE CONSENT AGENDA BE UPHELD. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. The items on the Consent Agenda were as follows:

WATER AND SEWER SERVICES - DISCHARGE OF DEBTOR - APPROVED

George W. Williams, III, T/A Wake Shoe Store, 129 E. Martin Street has filed bankruptcy and has been released from all debts by the court. There is an unpaid water/sewer bill in the amount of $9.04 which should be written-off the City's records. The City Attorney's Office has requested that the Consumer Services Division write-off this amount and Council authorization is needed.

Recommendation: That Council authorize the write-off of the outstanding water/sewer service amount at 129 E. Martin Street, in the amount of $9.04, in the name of George W. Williams, III, T/A Wake Shoe Store. Consent Agenda approval Calloway/Jordan - 7 ayes.

CAMP DURANT GRANT - ACCEPTANCE AUTHORIZED

In July, we received authorization to file a grant with the Wake County Parks and Recreation Commission for $100,000 to match our currently funded $100,000 for a $200,000 development phase at Camp Durant.

In the Commission's grants review process, the money amount from the County was reduced to $50,000 and that level of funding was approved as the final grant amount.

Recommendation: Council approval of this grant is recommended and authorization for the Mayor to sign the appropriate grant contract documents is requested.

Our total effort now for this Phase I, Year 2 project is $150,000 with $100,000 from City of Raleigh funds and $50,000 from Wake County funds. Consent Agenda approval Calloway/Jordan - 7 ayes.

ORDINANCE NO. (1983) - 192

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget Ordinance be amended as follows to reflect acceptance of a grant from Wake County for Camp Durant development:

Revenue:	37-1-0025-0200	Wake-Durant	$50,000.00
Expense:	37-2-1125-0202	Wake-Durant	$50,000.00

Adopted: 10/4/83

MARSH CREEK MAINTENANCE YARD - VEHICLE STORAGE BUILDING - CONTRACT AWARDED TO JIMMY EDWARDS

The City Council is requested to authorize employment of Mr. Jimmy Edwards to do the architectural design of this building if a suitable contract can be developed. Mr. Edwards and his firm did the original work on the maintenance yard structures.

This project is funded.

Recommendation: Approval is recommended. Consent Agenda approval Calloway/Jordan - 7 ayes.

DRIVEWAY - REQUEST FOR ADDITIONAL DRIVE BY KEEBLER COMPANY - APPROVED

The Transportation Department recommends that a third driveway onto Six Forks Road be granted to the Keebler Company which is renovating the Gordon Foods site at the corner of Six Forks and Wake Forest Roads. There are two existing driveways on the site; however, Section 7-2004(e)(2) of the City Code allows Administration to grant a maximum of two driveways for a business onto any one street. This third driveway is located approximately 600 feet from the Wake Forest Road intersection and would provide needed additional access for the site because of the expanded parking area and the traffic that backs up from the intersection blocking the existing driveway.

Recommendation: Approval is recommended. Consent Agenda approval Calloway/Jordan - 7 ayes.

JAYCEE PARK - LEASE AGREEMENT WITH DAVIDSON AND JONES CONSTRUCTION COMPANY - APPROVED

This proposed agreement between the City of Raleigh and Davidson and Jones Construction Company is for their use of a parcel of land in Jaycee Park for the temporary parking of their construction trailer while constructing a building on private property near the park. They have agreed to pay $75 per month rental from September 19, 1983, through December 31, 1983. (Total $255)

Recommendation: Approval is recommended as it will not interfere with any activities conducted in the park. Consent Agenda approval Calloway/Jordan - 7 ayes.

STREET IMPROVEMENTS - MILLBROOK ROAD - RESOLUTION ADOPTED

It is requested that the Council set the date of November 3, 1983, for a public hearing for the following:

In Millbrook Road from the Intersection of Atlantic Avenue east to the existing curb and gutter, the construction of a 65 foot back-to-back curbed street, with 10 inch stone base, 2½ inches of I-2 wearing surface, and necessary storm sewer.

Administration recommends adoption of the resolution of intent, setting the public hearing as outlined. Consent Agenda approval Calloway/Jordan - 7 ayes.

RESOLUTION NO. (1983) - 354

A PRELIMINARY RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO MAKE STREET IMPROVEMENTS AS DESCRIBED HEREIN AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFOR AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, the City Council under the provisions of Section 6.44 of the Charter of Raleigh, Chapter 1184 of the Session Laws of North Carolina, 1949, as amended, is authorized to require street improvements without petition under the conditions therein set out; and

WHEREAS, the City Council finds that improvements as described herein are necessary in the public interest; that the owners of property abutting the improvements are unwilling or have failed to sign a petition for such improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the following improvements be made and that the cost thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Section 6.44 of the Charter of the City of Raleigh; Chapter 1184, Session Laws of North Carolina, 1949, as amended:

> Construction of a 65 foot back to back curbed street, with 10 inches of stone base, 2½ inches of I2 wearing surface and necessary storm sewer on Millbrook Road from the intersection of Atlantic Avenue east to the existing curb and gutter.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e., the cost of one-half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections; the remainder of the total cost including street intersections to be borne by the City of Raleigh).

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains, and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Section 4. That the terms and manner of payment of street improvement assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That the said improvements shall be done by contract after due notice and advertisement for competitive bids in accordance with provisions of Section 6.11 of the Charter of the City of Raleigh and other pertinent provisions of the Charter and of the General Statutes of North Carolina.

Section 6. That a public hearing on all matters covered by this resolution shall be held on the third day of November, at 7:00 p.m., in the Council Chamber of the Municipal Building, Room 315, in the City of Raleigh, North Carolina, or as soon thereafter as the matter can be reached.

Adopted: 10/4/83

TAXICAB OWNER'S PERMIT - APPROVED ON FIRST CONSIDERATION; TO BE PLACED ON 10/18/83 AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. Approval is recommended. If approved, these applications will be placed on the October 18, 1983, Agenda for second and final consideration.

William M. Bass, Sr., Ebony Cab Company (New Individual Owner's Permit); John Jasper Green, Jr., Ebony Cab Company (Renewal of Individual Owner's Permit); William R. Williams, Yellow Cab Company (Franchise Renewal); Calvin Berry Bagwell, Sr., Safety Taxi Company (Franchise Renewal); Silas Sills and Dennis Sills, Holiday Cab Company (Franchise Renewal).

Consent Agenda approval Calloway/Jordan - 7 ayes.

BUDGET AMENDMENTS - LIBRARY OPERATIONS - ADOPTED

The Consent Agenda presented budget amendments in the amount of $275,953.08 relating to Library Operation and Maintenance in FY83-84, with recommendation of approval. The Agenda listed the revenue accounts as well as the expense accounts that need to be decreased in order to reduce the budget for funds not needed to fund libraries in FY83-84 with recommendation of approval. Consent Agenda approval Calloway/Jordan - 7 ayes.

ORDINANCE NO. (1983) - 193

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget Ordinance be amended as follows to provide funds for the Downtown Business Development Workshop:

Revenue:	43-1-4000-0102	D/T Workshop	$ 7,000.00
Expense:	43-2-4050-0107	D/T Workshop	$ 7,000.00

Section 2. That the 1983/1984 Budget Ordinance be amended as follows to reduce budget for funds not needed to fund libraries in FY 83-84:

Revenues:	01-2-0090-0220	Operating Reserve	$75,933.00
Expenses:	01-2-5050-0100	Salaries	$ 9,328.00
	01-2-5050-0218	Gas Service	14,050.00
	01-2-5050-0219	Power	30,806.00
	01-2-5050-0225	Repairs to Structures	5,960.00
	01-2-5050-0238	Elevator Maintenance	465.00
	01-2-5050-0239	Service Contracts	1,944.00
	01-2-5050-0243	Uniforms	125.00
	01-2-5050-0260	Office Supplies	900.00
	01-2-5050-0265	Other Services	11,335.00
	01-2-5050-0921	Water & Sewer	1,020.00
		Total	$75,933.00

Adopted: 10/4/83

ACREAGE FEES REIMBURSEMENT CONTRACT - APPROVED

It is recommended that the following reimbursable acreage fee contracts have Council approval:

Development Associates, Inc., 12-inch water main, Tower Commercial Park, Water Area 20 - #4 - $13,372.12.

Consent Agenda approval Calloway/Jordan - 7 ayes.

CIVIC CENTER - RENT-FREE USE - INFORMATION RECEIVED

Approval has been granted for the rent-free use of Meeting Room D at the Civic Center on Wednesday, September 21, 1983, from 3:00 until 5:00 p.m. for the Raleigh Tomorrow Task Force Meeting. Without discussion, the item was received as information.

WAKE FOREST ROAD WIDENING - RESOLUTION OF CONDEMNATION - ADOPTED

Efforts have been unsuccessful to obtain needed rights-of-way, therefore, we are recommending that resolutions of condemnation be authorized.

a. Name - Rogers Realty and Insurance Company
Site Location - 1600 Wake Forest Road
Project Name - Right-of-way acquisition for Wake Forest Road Widening.

b. Name - W. W. Mettrey, Jr., and Others
Site Location - 1402 Wake Forest Road
Project Name - Right-of-way acquisition for Wake Forest Road Widening.

Administration recommends adoption of the resolution of condemnations as outlined. Consent Agenda approval Calloway/Jordan - 7 ayes.

RESOLUTION NO. (1983) - 355

A RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF ROGERS REALTY AND INSURANCE COMPANY, INC., et.al

WHEREAS, the City Council of the City of Raleigh hereby determines that it is necessary and in the public interest to acquire certain property owned by Rogers Realty and Insurance Company, Inc., et. al for the following public purpose:

Public street purposes, specifically, to widen and improve Wake Forest Road

WHEREAS, the proper officials or representatives of the City of Raleigh have been unable to acquire the needed interest in this property by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RALEIGH, THAT:

Section 1. The City of Raleigh shall acquire by condemnation, for the purposes stated above, the property and interest described as follows:

An easement for public street purposes and related, customary uses of street right-of-way, in, over and upon the property of Rogers Realty and Insurance Co., Inc., et al, as shown on a map prepared by the City of Raleigh Department of Central Engineering, dated 12-17-82 and recorded in Book of Maps 1983 at Page 656, Wake County Registry.

Section 2. The attorneys representing the City of Raleigh are directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described.

Adopted: 10/4/83

Effective: 10/4/83

RESOLUTION NO. (1983) - 356

A RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF WILLIAM W. METTERY, JR.: JOHN M. METTERY: MICHAEL T. METTERY: AND JAMES P. METTERY: et. al

WHEREAS, the City Council of the City of Raleigh hereby determines that it is necessary and in the public interest to acquire certain property ownerd by William W. Mettery, Jr.; John M. Mettery; Michael T. Mettery; and James P. Mettery; et. al for the following public purpose:

Public street purposes, specifically, to widen and improve Wake Forest Road

WHEREAS, the proper officials or representatives of the City of Raleigh have been unable to acquire the needed interest in this property by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RALEIGH, THAT:

Section 1. The City of Raleigh shall acquire by condemnation, for the purposes stated above, the property and interest described as follows:

Beginning at a point, said point being in the eastern right-of-way line of Wake Forest Road and being 55.0 feet from the intersection of the eastern right-of-way line of Wake Forest Road and the northern right-of-way line of Harding Street; thence north 30 deg. 19 min. east 72.59 feet to a point; thence southwesterly along an arc length having a radius of 446.022 feet to a distance of 76.14 feet to the point and place of beginning. Further reference is made to a map prepared by CITY OF RALEIGH DEPARTMENT OF CENTRAL ENGINEERING, entitled "RIGHT-OF-WAY ACQUISITION WAKE FOREST ROAD, FROM: HARDING STREET TO: COURTLAND DRIVE," dated 10-27-82, and recorded in Book of Maps 1983, at Page 657, in the office of the Register of Deeds for Wake County, North Carolina.

Section 2. The attorneys representing the City of Raleigh are directed to institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described.

Adopted: 10/4/83

Effective: 10/4/83

PUBLIC UTILITIES FIELD OPERATIONS CENTER - CHANGE ORDER #E-2 - MANAGER'S ACTIONS CONCURRED WITH

The Agenda presented a change order which has been administratively approved by the City Manager according to Council policy. The change order is known as E-2 - Final with AAA Electrical Company in the amount of an addition of $475. This is the budget amounts that have been amended and the reason for the change was outlined on the Agenda. Concurrence with the Manager's action is recommended. Consent Agenda approval Calloway/Jordan - 7 ayes.

SWIMMING POOLS - BILTMORE HILLS AND RIDGE ROAD POOLS - CHANGE ORDER #G-16 - APPROVED - FUNDS APPROPRIATED

The Agenda presented a change order which is a deduction of $2,500 known as G-16 - Clancy and Theys Construction Company. The change order is needed as the prime coat is not necessary during time of hot or moderately hot weather. The Agenda listed the budget accounts that should be amended if the change order is approved. Administration recommends approval of the change order and transfer as outlined on the Agenda. Consent Agenda approval Calloway/Jordan - 7 ayes. See Ordinance 194 TF 6.

PUBLIC UTILITIES FIELD OPERATIONS CENTER - CHANGE ORDER #HVAC-1 and #GC-3 - APPROVED - FUNDS APPROPRIATED

The Agenda presented Change Order HVAC-1 - Final which is an addition of $4,407 relating to the Public Utilities Field Operations Center. The Agenda also presented Change Order GC-3 - Final - Centurion Construction Company which is an addition of $10,976 relating to the Utility Field Operations Center. The Agenda presented the reasons for the change orders and the budget accounts that need to be amended if the change orders are approved. Administration recommends approval of the change orders as well as the budget amendments as outlined on the Agenda. Consent Agenda approval Calloway/Jordan - 7 ayes. See Ordinance 194 TF 6.

LAUREL HILLS SANITARY SEWER OUTFALL - CHANGE ORDER #1 - RGK, INCORPORATED - APPROVED

This was a change order which is an addition of $3,028.46. The Agenda listed reasons for the change order and the budget accounts that need to be amended if the change order is approved. Administration recommends approval of the change order and transfers as outlined on the Agenda. Consent Agenda approval Calloway/Jordan - 7 ayes.

ORDINANCE NO. (1983) - 205

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget be amended as follows for Change Order No. 1 (final), Laurel Hills Sanitary Sewer Outfall, WS 1983-2, RGK, Inc.:

Income:	81-1-2001-101	Twin Pines-Sect. 2	$3,028.46
Expense:	81-2-2001-101	WS 1983-2	$3,028.46

Adopted: 10/4/83

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packet a list of Administrative Transfers which have been authorized by the City Manager according to Council procedure Concurrence with the Manager's recommendation is recommended. Consent Agenda approval Calloway/Jordan - 7 ayes.

The Transfers were as follows:

From	To	Amount
01-2-1230-260	01-2-1230-630	$ 28.00
01-2-1160-231	01-2-1160-237	150.00
01-2-1120-240	01-2-1120-237	150.00
01-2-3030-226	01-2-3030-237	450.00
01-2-1040-300	01-2-1010-231	25.00
18-2-1000-001	18-2-1000-237	450.00
03-2-5400-534	03-2-5400-135	700.00
01-2-1040-001	01-2-4020-701	600.00
43-2-5090-260	43-2-5090-700	550.00
03-2-5200-535	03-2-5200-232	200.00
01-2-1160-213	01-2-1160-226	100.00

TRANSFERS - WITHIN VARIOUS ACCOUNTS - ORDINANCE ADOPTED

The Agenda listed recommended transfers within various accounts for purposes as stated therein as well as appropriations from various contingencies. Approval is recommended. Consent Agenda approval Calloway/Jordan - 7 ayes. 6.

ORDINANCE NO. (1983) - 194 TF 6

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	General Fund Contingency	$10,000.00
To 01-2-5020-0267	Rodent Extermination	10,000.00
Purpose: Rodent control program - Pilot project.		
From 01-2-1040-0001	General Fund Contingency	$ 6,250.00
To 01-2-1040-0600	Claims	6,250.00
Purpose: To settle Beverly Mitchell Claim.		
From 34-2-1000-0100	Council Reserve	$ 7,500.00
To 34-2-2500-0100	Joel Lane House	7,500.00
Purpose: Grant to Joel Lane House Matching State Grant.		
From 38-2-2010-0101	Swim Pool A	$ 2,500.00
To 38-2-1000-0100	Council Reserve	2,500.00
Purpose: Change Order - Biltmore Hills & Ridge Road Pools - Clancy & Theys Construction Company - G-16.		

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	84-2-1060-0000	E. M. Johnson Expansion	$10,976.00
To	84-2-1010-0101	Operations Ctr-General	10,976.00

Purpose: Change Order - Public Utilities Field Operations Center - Centurion Construction Company - GC-3 Final.

From	01-2-1090-0236	Equip. Rental	$12,000.00
	01-2-1090-0226	Repairs to Equip.	3,400.00
	01-2-5050-0228	Telephone & Tel.	2,400.00
	01-2-1040-0001	Contingency	3,477.50
To	01-2-1090-0601	Dictation Equipment	21,277.50

Purpose: To supplement monies needed to purchase dictation equipment for Word Processing Center.

From	37-2-1000-0100	Council Reserve	$ 2,289.00
To	37-2-1600-0102	Shelley Sewer Pipe Study	2,289.00

Purpose: To establish account for feasibility study for bridge over sewer line at Shelley Lake.

From	34-2-3806-0100	Municipal Building Reno.	$ 9,597.03
To	34-2-3805-0101	General Contract	9,597.03

Purpose: Change Order - Mid South Construction Company - G-6.

From	34-2-3806-0100	Municipal Building Reno.	$ 606.00
To	34-2-3805-0113	Municipal Complex Elec.	606.00

Purpose: Change Order - Bolton Electric - E-6.

From	34-2-3805-0100	Municipal Complex	$ 2,980.00
To	34-2-3805-0113	Electrical Contract	2,980.00

Purpose: Change Order - Bolton Corporation - E-5.

From	84-2-1060-0000	E. M. Johnson Expansion	$ 4,407.00
To	84-2-1010-0201	Operations Ctr-HVAC	4,407.00

Purpose: Change Order - Public Utilities Field Operations Center - Rural Plumbing & Heating - HVAC 1 Final.

From	01-2-1040-0001	Council Contingency	$ 500.00
To	01-2-1220-0253	Appearance Commission	500.00

Purpose: Funds for development and design of the Sir Walter Award.

Adopted: 10/4/83

BID REQUEST 83-23 - FARM TRACTORS - BID AWARDED TO HERRING TRACTOR AND TRUCK COMPANY AND SENTER SANDERS TRACTOR CORPORATION

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on September 22, 1983 for Farm Tractors with results as follows:

Item 1 - Farm Tractor - Minimum 55 hp Diesel

Herring Tractor & Truck Co.	$16,575.00
Mill International, Inc.	16,700.00
Senter Sanders Tractor Corp.	17,325.00
M.O. Blount and Sons	18,914.97

Item 2 - Farm Tractor - Minimum 150 hp Diesel - Used

Senter Sanders Tractor Corp.	$30,000.00
M.O. Blount and Sons	33,401.42

Administration recommends the low bid for the minimum 55 hp Diesel be awarded to Herring Tractor and Truck Company and the minimum 150 hp Diesel - Used be awarded to Senter Sanders Tractor Corporation. Consent Agenda approval Calloway/Jordan - 7 ayes.

BID REQUEST 83-24 - SEWER JET MACHINE MOUNTED ON CAB AND CHASSIS - BID AWARDED TO CITIES SUPPLY COMPANY INCORPORATION AND NORTH STATE FORD TRUCK SALES, INCORPORATED

Pursuant to advertisement as require by law, bids were received and publicly opened in the Office of the Purchasing Agent on September 22, 1983 for a Sewer Jet machine mounted on cab and chassis with results as follows:

Item 1 - Sewer Jet Machine

Cities Supply Co., Inc.	$22,690.00
North Carolina Equipment Co.	23,414.00

Item 2 - Truck, Cab an Chassis for Mounting Sewer Jet Machine

North State Ford Truck Sales, Inc.	$28,499.90
Cardinal International	30,030.73

Administration recommends that the low bid for the Sewer Jet Machine be awarded to Cities Supply Company, Inc.; Cab and Chassis for Mounting be awarded to North State Ford Truck Sales, Inc. Consent Agenda approval Calloway/Jordan - 7 ayes.

BID REQUEST 83-25 FIRE HELMETS - BID AWARDED TO ZIMMERMAN-EVANS, INCORPORATED

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on September 22, 1983 for 325 fire helmets with results as follows:
Zimmerman-Evans Incorporated - $16,295.50; Jones Safety Company - $16,770.00; Action Fire and Safety - $18,963.75. Administration recommends the low bid submitted by Zimmerman-Evans Incorporated be awarded. Consent Agenda approval Calloway/Jordan - 7 ayes.

BID REQUEST 83-27 - FIREMAN's TURNOUT CLOTHING - BID AWARDED TO ZIMMERMAN-EVANS INCORPORATED

Pursuant to advertisement as required by law, bids were received and publicly opened in the Office of the Purchasing Agent on September 22, 1983 for 325 sets of Fireman's Turnout Clothing with results as follows: Zimmerman-Evans Incorporated - $63,797.50; Jack Slagle Fire and Equipment Supply - $67,112,50; Lee Fire Equipment and Supply - $67,762.50; Action Fire and Safety, Incorporated - $68,542.50; Dixon Fire and Safety Equipment Company - 68,818.75; Newton's Fire and Safety Equipment Company - $74,629.75. Administration recommends the low be submitted by Zimmerman-Evans Incorporated be awarded. Consent Agenda approval Calloway/Jordan - 7 ayes.

TRAFFIC - VARIOUS CHANGES - ORDINANCE ADOPTED

The Consent Agenda presented recommended changes in the Traffic Code relating to Lane Channelization on Boylan Avenue at Peace Street and no parking on Scales Street. Administration recommends approval of the changes as outlined. Consent Agenda approval Calloway/Jordan - 7 ayes.

ORDINANCE NO. (1983) - 195

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 6B3 entitled "CHANNELIZATION" be amended by adding the following:

Boylan Avenue, northbound at Peace Street

Section 2. That Traffic Schedule No. 13 entitled "NO PARKING" be amended by adding the following:

Boylan Avenue, east side, from Peace Street, southward 100 feet
Scales Street, east side, between Fairview Road and Harvey Street

Amend said Section further by deleting the following:

Scales Street, east side, between Fairview road and Harvey Street, 8:30 a.m. to to 9:30 a.m. and 2:00 p.m. to 4:00 p.m. school days

Section 3. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall become effective October 11, 1983.

Adopted: 10/4/83

Effective: 10/11/83

END OF THE CONSENT AGENDA

BID REQUEST 83-21 - WORD PROCESSING SYSTEM - REFERRED TO ADMINISTRATION FOR REPORT BACK AT NEXT MEETING

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agenda on September 22, 1983 for a Word Processing System less trade with results as follows: Dictaphone Corporation - $21,277.50; Lanier Business Products - $38,280.00, Micro-Cassette or Standard Cassette - $31,370.00; Paul B. Williams Incorporated - $40,735.00.

Mayor York indicated he had asked that this be withdrawn from the Consent Agenda indicating Council Members had received a letter from Mark Auman of Lanier Business Products dated October 3, 1983 in reference to this bid request. Mayor York read the letter in full as follows:

> "This letter is in reference to Bid Request No. 83-21 for the Word Processing System. We understand that the bid will be brought before the Council on Tuesday, October, 4. We would like to ask that the Council delay action on this bid until further study and evaluation of the bids and proposals are undertaken.
>
> The City of Raleigh requested bids and proposals on the Word Processing System that included desired specifications for a Management Console, Central Recorders and Transcribing equipment. Lanier submitted a bid that met every specification to the letter. We have serious questions about the ability of the vendor being considered to meet these specifications. Based on our experience and all the information available to us at the present time we feel the vendor being considered does not meet several of the specifications set forth by the City.
>
> We, at Lanier, ask for this reevaluation reluctantly, however we feel in the long run it would be in the City's best interest. We would like the opportunity to demonstrate how our Lanier System meets the specifications. We would also welcome an actual side by side comparison with the other vendor, judging each System by the specifications of the bid.
>
> Thank you for your consideration and we look forward to your decision on this matter. If you have any questions you can call me at 832-8006."

Mayor York indicated he was not familiar with this situation, but he wanted all Council members to be aware that the letter had been received. He indicated the City Council is not that concern with who gets the bid, that the Council is just concern that whoever gets the bid does meet the specifications. City Manager Zachary indicated Administration is satisfied with the situation; however, Administration would be happy to look at the specifications again. He stated he believes we are in good shape but had no objection to further studying it. Mr. Jordan MOVED THAT BID REQUEST 83-23 BE REFERRED TO ADMINISTRATION FOR FURTHER EVALUATION AND REPORT BACK AT THE NEXT MEETING. His motion was seconded by Mr. Edwards and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor York presented the Planning Commission Consent Agenda, indicating it would be handled in the same manner as the regular Consent Agenda. Mayor York indicated Administration request that Subdivision S-117-83 - Springdale Estates addition be held until after Council takes action on CP-5-83 which will be heard during the night section of the meeting. Without objection this item was was held. Mr. Edwards requested that CR-3009 (Z-95-83) be withdrawn from the Consent Agenda. Without objection, this item was withdrawn. Mr. Walters MOVED THAT THE PLANNING COMMISSION'S RECOMMENDATION ON THE REMAINING ITEMS ON THE CONSENT AGENDA BE UPHELD. His motion was seconded by Mr. Jordan and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. The items on the Planning Commission Consent Agenda were as follows.

SUBDIVISION S-127-83 - TOWER COMMERCIAL PARK REVISION - APPROVED

This was a request for approval to revise the approved plan relocating Bastion Lane. The 117-acre project, zoned Industrial-I, Residential-6 and Neighborhood Business, has been approved in three (3) phases, and this is only a revision to the approved plan. The property is located on the north side of the Beltline and west of Trawick Road, outside the City Limits.

CR-3005 from the Planning Commission recommended that this request be approved according to a map entitled, "Tower Commercial Park Revision," the property of Development Associates, Incorporated, drawn by Triangle Engineering and Surveying, Incorporated, dated August 31, 1983. Consent Agenda approval Walters/Jordan - 7 ayes.

SC-209 - KWIK MART SIGN - APPROVED

This was a request for approval to replace an existing sign with a new 12-foot by 12-foot sign, 27 feet in height. The sign will contain the name of the business and a movable copy area for gasoline prices. The site is zoned Shopping Center. The property is located on the north side of U.S. 70 West, just east of Pleasant Valley Road, inside the City Limits.

CR-3006 from the Planning Commission recommended that this request be approved according to a map entitled, "Kwik Mart Sign," the property of Wooten Oil Company - Kwik Mart, drawn by Wooten Oil Company - Kwik Mart, dated May 13, 1983. Consent Agenda approval Walters/Jordan - 7 ayes.

SC-211 - SACK'S (TOKEN PLEASURES) SIGN - APPROVED

This was a request for approval to construct an 11-foot by 12-foot sign, 30 feet in height, identifying a previously approved restaurant (Token Pleasures). The site is zoned Shopping Center. The property is located on the west side of Falls of Neuse Road, just north of Sandy Forks Road, inside the City Limits.

CR-3007 from the Planning Commission recommended that this request be approved according to a map entitled, "Sack's (Token Pleasures) Sign," the property of Sack's Corporation, drawn by Jim Buie, dated May 2, 1983. Consent Agenda approval Walters/Jordan - 7 ayes.

REZONING Z-94-83 - LYNN ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 4.5 acres from Residential-4 to Residential-10.

CR-3008 from the Planning Commission recommended that Z-94-83 be approved as requested. Consent Agenda approval Walter/Jordan - 7 ayes. See Ordinance 196 ZC 127.

REZONING Z-96-83 - WEYBRIDGE DRIVE - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately .37 acre from Conservation/Buffer (1.6 acres) and Residential-6 (.21 acre) to Residential-4.

CR-3010 from the Planning Commission recommended that Z-96-83 be approved as requested. Consent Agenda approval Walters/Jordan - 7 ayes. See Ordinance 196 ZC 127.

REZONING Z-100-83 - POOLE ROAD - APPROVED AS AMENDED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately eight (8) acres from Residential-6 (1.6 acres) and Residential-10 (6.4 acres) to Office and Institution-III.

CR-3014 from the Planning Commission recommended that Z-100-83 be approved as amended; that is, that the property be rezoned, as requested, to Office and Institution-III down to the northern right-of-way of the proposed extension of Eastern Boulevard. (The portion of the request within and south of the right-of-way is recommended to remain Residential-10.) Consent Agenda approval Walters/Jordan - 7 ayes. See Ordinance 196 ZC 127.

REZONING Z-101-83 - LYNN ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 7.3 acres from Residential-4 to Conservation/Buffer.

CR-3015 from the Planning Commission recommended that Z-101-83 be approved as requested. Consent Agenda approval Walters/Jordan - 7 ayes. See Ordinance 196 ZC 127.

TEXT CHANGE-245 - ARCHITECTURAL STYLES - APPROVED - ORDINANCE ADOPTED

This was a request for approval to amend Section 10-2049, "Historic District Regulations," of the Zoning Chapter to add a descriptive list of architectural styles found in Raleigh.

CR-3016 from the Planning Commission recommended that TC-245 be approved as presented according to the ordinance attached to Certified Recommendation - 3016. Consent Agenda approval Walters/Jordan - 7 ayes.

ORDINANCE NO. (1983) - 197 TC 196

AN ORDINANCE TO ADD ARCHITECTUJRAL STYLES TO RECENTLY ADOPTED "GUIDELINES AND STANDARDS FOR REHABILITATION OF EARLY RALEIGH NEIGHBORHOODS AND BUILDINGS" AND "GUIDELINES AND STANDARDS FOR NEW CONSTRUCTION IN EARLY RALEIGH NEIGHBORHOODS."

WHEREAS, Parts 3A and 3B of Article 19, Chapter 160A of the General Statutes require the adoption of guidelines and standards for issuance of certificates of appropriateness; and

WHEREAS, at the time the Raleigh City Council enacted Ordinance No. (1982) - 49 TC 174 (which established guidelines and standards for issuance of certificates of appropriateness), detailed descriptions of Raleigh architectural styles were not completed; and

WHEREAS, the City Council finds that inclusion of architectural styles will facilitate public education of the historical heritage of the City and will facilitate compliance with the guidelines and standards.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that:

Section 1. Sections 100-139 of the attachment and accompanying pictures are incorporated and made a part of the guidelines and standards adopted by Ordinance No. (1982) - 49 TC 174, all of which are a part of the Raleigh City Code.

Section 2. All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 3. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 4. If this ordinance or aplication thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 5. This ordinance shall be enforced as provided in N.C.G.S. 160A-175.

Section 6. This ordinance shall become effective upon its adoption.

Adopted: 10/4/83

Effective: 10/4/83

100 Architectural Styles are the means by which a type of building can be identified. Since Raleigh did not really become established until the early years of the nineteenth century and experienced considerable growth in the middle of the twentieth century, there are few existing antebellum buildings. The bulk of the early Raleigh buildings date from the late nineteenth and early twentieth centuries. The following index of architectural styles describes and illustrates those found in Raleigh.

101 Georgian - Imported from England during the 18th century, the Georgian style was spread through the American colonies by published pattern books and carpenter-builders. It displays classical, Renaissance and Baroque forms and is characterized by symmetrical compositions and fine finishing details. There were few buildings of Georgian influence constructed in Raleigh. The only remianing one with any Georgian influence is the White-Holman House (c. 1798).

102 Federal - A late 18th century American style inspired in part by the designs of the Adam brothers in England, the Federal style features adaptations of classical ornament. Adamesque and Federal ornament was light and delicate; columns and pilasters were attenuated and decorations were usually geometrical, curved and in low relief. Building forms were usually rectilinier and windows longer and narrower than those of the Georgian style. Haywood Hall (c. 1799) is a Federal style house.

103 Greek Revival - This style dominated American architecture from around 1820 until the Civil War. Based on ancient Greek temple forms and decorated with classical Greek ornament, the style was used for domestic buildings as well as those for commercial and public uses. The style is characterized by boxy square or rectangular shapes, Greek forms such as pedimented porches, low hipped roofs, columns and pilasters. The North Carolina Capitol (1840) is the premier example of the style in Raleigh. Other examples are the 1826 portion of the Mordecai House, the Richard B. Haywood House (1854) and the Early Office Buildings (c. 1847) in Mordecai Historic Park.

104 Gothic Revival - One of the most wide-spread and enduring styles of 19th and early 20th century America, Gothic Revival is characterized by pointed arches, stained or colored glass, spires, window tracery and steep gabled roofs. Combinations of these elements presented a picturesque, romantic quality that caught the popular imagination that was looking for an anidote to the academic formalism of the Greek Revival style. Some ecclesiastical proponents of the Gothic dismissed the Greek as "pagan" and promoted the new style as the symbol of Christian virtue. Some Raleigh Gothic Revival buildings include Christ Church (c. 1848), the Stronach House (c. 1880) and the First Citizens Bank (1912).

105 Italianate - Inspired by 19th century designers' interest in vernacular Italian farmhouses, the Italianate style is included in the "picturesque" styles that dominated 19th century American architecture. The style was almost always employed for domestic or commercial buildings and is characterized by molded and arched window and door openings, usally smooth finished surfaces, occasional small-scale classical ornaments and the use of brackets. Varieties of arches are employed over openings, including flat ones, segmental arches and rounded ones. Italianate buildings in Raleigh include Montfort Hall (c. 1858), the Heileg-Levine building (c. 1875) and the Andrews-Duncan House (c. 1875).

106 Second Empire - Named for the Second Empire in France (1852-1870), this style became popular in America in the years following the Civil War. Second Empire style buildings always feature a mansard roof; they also usually display a symmetrical composition, dormer windows, heavy ornament and towers. Although it was considered by Victorians to be truly "modern", the style relied heavily on 17th century monumental French buildings for references. American builders often adapted the style for domestic purposes by creating asymmetrical compositions or adding deep porches and called such houses "Steamboat Gothic" or "The General Grant style." The Century Post Office (1877), the Heck-Andrews House and the Heck Trio (1872-1875) are Second Empire style buildings.

107 Queen Anne Style - Popularized at the Philadelphia Centennial Exposition of 1876, this style could have been more appropriately called the "Queen Elizabeth." Originally inspired by the rural, picturesque quality of two half-timbered buildings exhibited by the British government and spread by hundreds of pattern book designs, the style swept late 19th century America and has become synonymous with "Victorian architecture." It is characterized by asymmetrical compositions, complex arrangements of gables, roofs and turrets, the use of different surface treatments on facades and varied window treatments. Large numbers of Raleigh buildings are the Queen Anne style; some examples are the Executive Mansion (1891), the Marshall-Richardson House (c. 1900) and an extremely rare Queen Anne style outbuilding, the Tucker Carriage House (c. 1900).

108 Eastlake - Named after Charles Eastlake, an English designer and author of Hints on Household Taste, this style actually refers to architectural detail rather than form. Designer Eastlake promoted furniture and interiors that were angular, notched and carved rather than the more Baroque, curvilinear styles that were current. American designers quickly adapted Eastlake's motifs for exterior use and produced brackets, railings, porch posts and balusters -- elements that were mass-produced on machine lathes. This mass-production tended to produce more curvilinear designs, thus subverting Eastlake's original intentions. Some Raleigh buildings with Eastlake porches include the Bretsch House (c. 1890) and the Hinsdale House (c. 1879).

109 Triple A - A 19th and early 20th century vernacular house style found throughout North Carolina, the Triple A is named for the three gable ends in the roof -- the two in the roof covering the body of the house and the intersecting gable over the entrance. The Triple A was constructed in one - or two-story versions, displayed a symmetrical composition, was usually fabricated in wood and was occasionally decorated with sawnwork, turned porch posts or other architectural details. The Triple A has housed thousands of North Carolinians and is found in all early Raleigh neighborhoods. An example of the style is 224 East Martin Street (c. 1880).

110 Shotgun - The ubiquitous tract house of the post-Civil War South, the Shotgun is a one-story, wooden, gable-roofed, one bay wide dwelling. The front porch was occasionally decorated with simple brackets or sawnwork. Shotguns were mass-produced as housing for less affluent citizens and were placed on deep, narrow lots close to the street, thus creating rhythmic rows of urban streetscapes. It is said that they were named for the fact that one could fire a shotgun through the front door and out the back wthout hitting anything. An example of the Shotgun found in most early Raleigh neighborhoods is at 409 North East Street (c. 1890).

111 Chateauesque - Inspired by the 16th century chateaus of the French countryside, the Chateauesque was a grand style that displayed a romantic mixture of Gothic and Renaissance features. Characterized by steep pitched roofs, usally covered with slate; dormers, wall gables, turrets and rhythmic fenestration patterns, the Chateauesque style was usually applied to the mansions of the very wealthy or to large commercial or public buildings. The only surviving Chateauesque building in Raleigh is the North Carolina School for Blind and Deaf Dormitory (1898).

112 Romanesque Revival - An eclectic adaptation of the pre-Gothic architecture of Medieval Europe, this style was usually employed for churches or public buildings. Romanesque buildings are characterized by the use of masonry, by semicircular or rounded arches in the wall openings and often featured miniature windows or arcades. Spires and windows usualy displayed Gothic characteristics; Romanesque Revival spires are taller than an authentic design would have employed and the wheel windows and tracery that often accent them are Gothic characteristics. The only surviving Romanesque Revival style building in Raleigh is the First Presbyterian Church (c. 1900).

113 Beaux Arts - A monumental style that employs Roman classical elements on a large scale, Beaux Arts was popular among architects who designed public buildings. The style is characterized by symmetrical composition, articulated massing, arched and linteled openings and figure sculpture. The material is always masonry, usually dressed stone. The style takes its name from the Ecole des Beaux Arts, a 19th century school of architecture in Paris. The Ruffin Building (1913) is an example of the Beaux Arts style.

114 Neo-classical Revival - An early 20th century revival movement in American architecture, the Neo-classical employs Greek classical elements on a more restrained scale than the Beaux Arts. Neo-classical Revival buildings usually display symmetrical compositions, less dramatic massings and undecorated rooflines. Public buildings in the style are usually stone or brick; dwellings are often wood. Some examples of the style are the Agriculture Building (1924) and the Goodwin House (1903).

115 Sullivanesque - Named after Louis Henry Sullivan (1856-1924), this style is an effort to give emerging skyscrapers of steel and concrete a stylistic reference. Sullivanesque buildings are defined by simple forms, vertical compositions in three parts, flat roofs and cornices, arched openings and terra-cotta or plaster reliefs of stylized foliage or linear forms. These buildings often have been compared to classical columns in that the first two stories form a base, the middle stories, a shaft, and the decorated top stories a capital. The Sullivanesque style is mostly associated with the turn-of-the century burgeoning cities of the north and mid-west; the only Sullivanesque building in Raleigh is the Masonic Temple Building (1907).

116 Georgian Revival - A late 19th and early 20th century interpretation of the 18th century colonial Georgian style, this revival was an attempt to restore order to American architecture. Georgian Revival buildings are generally of a larger scale than their colonial counterparts and their architectural elements and details are more distinct: this quality can be attributed to the influence of the Queen Ann style. Georgian Revival buildings usually display symmetrical compositions, large, multi-pane over single pane double-hung windows and hipped, gable or gambrel roofs. Tatton Hall (1930) is one of the finest examples of the style in the state. Other examples are 821 and 831 Wake Forest Road (c. 1915).

117 Queen Anne/Colonial Hybrid - An attempt to combine the compositional complexity of the 19th century Queen Anne style with popular interest in the styles of colonial America, the Queen Anne/Colonial Hybrid is a restrained descendant of the Victorian era. It is usually two stories, features gabled roofs, displays an asymmetrical composition of cut-back corners and projecting bays and is either brick or clapboard. The Queen Anne/Colonial Hybrid is found in many early Raleigh neighborhoods; an example is 131 South Boylan Avenue (c. 1915).

118 Colonial Box - An early 20th century house style found in all early Raleigh neighborhoods, the Colonial Box appears in two forms. The first is a two-story, double-pile, three-bay house that usually features a symmetrical composition, a hipped roof and a one-story, full-length porch on the front facade. In the absence of a front porch, there is a portico and a porch on a side facade. The other is a two-story, two-bay-wide version with an asymmetrical composition. Both types display Georgian or Federal-style details that became popular as the "picturesque" modes of the 19th century faded. A colonial Box is found at 314 East Park Drive (c. 1920).

119 Bungalow - Bungalows are found in every early Raleigh neighborhood in several different forms. A style that originated in California, it swept the country at the turn of the century and persisted until World War II. The Bungalow is characterized by a horizontal composition, low sweeping roofs with overhangs, verandas or porches and an informal quality. Bungalows can be one or two stories, are constructed of a variety of materials and range from very plain to elaborate. A typical Bungalow is at 318 Cutler Street (c. 1920).

120 Colonial Revival - Borrowed from the forms of the 17th and 18th century houses of colonial New England, Colonial Revival styles gained widespread popularity in the early 20th century that has lasted through the present. Colonial Revival buildings are usually one or two stories, feature balanced compositions, simple facades and multi-paned windows with shutters or blinds. The style blended well with the established neighborhoods of the early 20th century and, in many cases, became the hallmark of the mushrooming suburbs of the 1920s. 1208 College Park Drive (c. 1925) is a Colonial Revival style house.

121 Dutch Colonial Revival - Characterized by a gambrel roof that is usually accented by a large dormer to expand the second floor living space, the Dutch Colonial Revival is in the family of American revival styles. These houses are usually rectangular and display symmetrical compositions. The entry is often emphasized by a portico, a feature borrowed from the Georgian style. 611 Wills Forest Street (c. 1920) is a Dutch Colonial Revival house.

122 Tudor Revival - This style appeared in Raleigh in the 1910s and is derived from the architecture prevalent in England during the 16th century. It is characterized by half-timbering, that is the leaving of the actual timber construction members of the building exposed and filling the spaces between them with brick and stucco. Often half-timbering was combined with brick work to create an interesting facade. A Tudor Revival style rowhouse is found at 130-136 Woodburn Road (c. 1915).

123 Mission Style - Derived from the 18th century architecture of the Spanish colonial era in the American southwest, the Mission Revival style originated in southern California in the late 19th century and moved east. It is characterized by simple, harmonious designs, stucco or brick facades and low-pitched roofs covered with pantiles. It was a reaction to other more complex revival styles and its characteristics were often adapted to bungalows. The 1914 City Market is a Mission Revival style building.

124 Jacobethan Revival - A style derived from the architecture prevalent during the reigns of Elizabeth I and James I (late 16th and early 17th centuries), Jacobethan Revival is characterized by the use of brick and stone, large rectangular windows divided by stone mullions and transoms, articulated bays and restrained detailing. This style was intended to be a "cheerful" or "homey" reaction to academic formalism. The major examples in Raleigh are schools: Wiley School (1923) and the former Thompson School (1923).

125 Picturesque - Among the extended family of eclectic styles, the Picturesque style building is a Post World War I example of romanticism in building. It is usually one or two stories, features a steep gable roof, varieties of masonry and wood treatments on the facades, complex compositions of chimneys, dormers, windows and extended walls that form patios or courtyards. This style imparts a cozy, cottage-like atmosphere; 811 West Johnson Street is a Picturesque style house (c. 1925).

126 Art Deco - Rarely used in domestic architecture, the Art Deco style became popular for use in skyscrapers and movie theaters. Primarily a style of bold geometric ornament, these buildings feature vertical compositons, set back facades and smooth finishes. The style imparts a feeling of the then emerging Machine Age. When adapted to houses, it was usually known as Art Moderne. An Art Deco building in Raleigh is the Insurance Building (1940).

127 Raleigh Commercial - A classification for the many downtown commercial and office buildings constructed in Raleigh following World War I, the Raleigh Commercial is simply a brick box with large windows and a simple entryway. Although it is not often over three stories high, it occasionally evolved into a taller, more elaborate version of the style. 220 South Wilmington Street (c. 1930) is a Raleigh Commercial building.

128 Raleigh Industrial - A common brick box with a flat or shallow pitch gable roof, the Raleigh Industrial building was constructed to house light manufacturing or warehousing operations. They are solid, honest buildings that provide much usable space for commercial activities. An example is 327 West Davie Street (c. 1920).

129 W.P.A. - A massive, grand style with classical roots, the W.P.A. style emerged from the public works projects of the Great Depression. Constructed of brick or smooth stone masonry, this style often features details drawn from a classical vocabulary and occasionally displayed murals or decorative arts of the era. These buildings were probably designed to impart a sense of stability and continuity to a troubled country. The Justice Building (1940) is a W.P.A. style building.

130 F.H.A. Ranch - A post World War II style for suburban housing, the F.H.A. Ranch was built by contractors to house a population that moved to the city fringes. It is a one story, shallow-gable-roofed house with a distinct horizontal emphasis. An attached garage is often part of the design. It is constructed in varieties of materials and can display any historical reference for architectural detail. Considered by some to be the true 20th century vernacular, the F.H.A. Ranch swept the country as pictures and plans of them were published in magazines and newspapers.

131 Williamsburg/Colonial Suburban Hybrid - The modern descendant of the enduring styles of colonial-era America, the design of the Williamsburg/Colonial Suburban Hybrid is often dictated by economic expediency. It borrows details from any or all of the 18th century styles and is used for domestic and commercial buildings. Often historical elements of the building are fabricated from synthetic materials such as aluminum or masonite. This style has been spread by plans published in magazines and newspapers and is quickly constructed by contractors.

132 Split Level - Another of the 20th century building boom styles, the Split-Level is a simple, box-like shape whose arrangement is dictated by the functions inside the house. These functions, sleeping, formal entertaining, and family living are separated into areas on different levels. The exterior can feature references to any architectural motif from Williamsburg to very modern.

133 Hallmark Technology - A classification for the Post World War II contemporary buildings that feature creative combinations of design and technology, Hallmark Buildings represent continuing efforts to combine beauty and function with technology. Hallmark buildings in Raleigh are Dorton Arena (1953) and the Catalano House (1954).

134 International Style - This style arrived in North Carolina with the Black Mountaion School in the 1930s that was established by architects and designers who left Nazi Germany. It is a style that departs completely from previous eclectic or revival styles. It is fundamental and unadorned, concerned with enclosing volume with light skins of steel, glass or concrete. This style did not develop in Raleigh until the 1950s; the 1955 addition to the North Carolina School of Design and the 1957 George Matsumoto House are examples of the style.

135 Miesian - Named after Ludwig Mies van der Rohe, a German who emigrated to America in 1938, this style has sometimes been, in its purest forms, called "a quantity of air caught between a floor and a roof." It is characterized by the use of light steel frames enclosed by glass curtain walls and by a refinement of proportion and detail. The Milton Small Building (1965) is an example of the style.

136 Corporate Box - The ubiquitous office block that spread across the South during the "Sunbelt Boom," the Corporate Box is, in many cases, the International or Meisian building whose appearance is stripped down by speculative construction. Ranging from one to twelve or fifteen stories high, the Corporate Box is a steel frame concrete square or rectangular flat topped building covered with any variety of material ranging from aluminum siding to reflective glass.

137 Highway Victorian - Possibly the result of a current wave of collective nostalgia, the Highway Victorian is basically a style of pseudo-Victorian architectural details tacked onto a commercial block. These details reflect the "gingerbread" of the Victorian era but are usually out of scale and fabricated from synthetic materials such as metal or plastic.

138 Post Modern - A reaction to the austere functionalism of the International or Meisian style building, the Post Modern building is starting to appear in Raleigh. These buildings make indirect references to historical or regional styles and generally impart a warmer, more human quality to non-residential buildings that often have been lacking in recent years. The Texas-Gulf Headquarters (1981) is a Post-Modern building.

139 Solar - There are two kinds of solar buildings; active and passive. The active solar house uses heat-transfer fluids that are forced through roof-mounted collector panels that face the sun. The passive solar house uses conventional building parts to collect, store and distribute the sun's heat. Both types employ large areas of glass-paneled wall space on the south side of the building. Conventional existing buildings can sometimes be retrofitted with roof-mounted solar collector panels to provide energy.

TEXT CHANGE-250 - BUILDING PERMIT EXEMPTION - APPROVED - ORDINANCE ADOPTED

This was a request for approval to amend Article C, Chapter Four of Part Seven of the Raleigh City Code to conform with Chapter 614, 1983 Session Laws of North Carolina.

CR-3017 from the Planning Commission recommended that TC-250 be approved as presented according to the ordinance attached to Certified Recommendation - 3017. Consent Agenda approval Walters/Jordan - 7 ayes.

ORDINANCE NO. (1983) - 198 TC 197

AN ORDINANCE TO AMEND ARTICLE C, CHAPTER FOUR OF PART SEVEN OF THE RALEIGH CITY CODE TO CONFORM WITH CHAPTER 614, 1983 SESSION LAWS OF NORTH CAROLINA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA, THAT:

Section 1: The last sentence of Raleigh City Code Section 7-4032(a) is amended by deleting "twenty-five hundred dollars ($2,500.00)" and substituting "five-thousand dollars ($5,000.00)."

Section 2: The second sentence of Raleigh City Code Section 7-4032(b) is amended by deleting "twenty-five hundred dollars ($2,500.00)" and substituting "five-thousand dollars ($5,000.00)."

Section 3: The second sentence of Raleigh City Code Section 7-4032(c) is amended by deleting "twenty-five hundred dollars ($2,500.00)" and substituting "five-thousand dollars ($5,000.00)."

Section 4: The second sentence of Raleigh City Code Section 7-4032(d) is amended by deleting "twenty-five hundred dollars ($2,500.00)" and substituting "five-thousand dollars ($5,000.00)."

Section 5: All ordinances and clauses in conflict herewith are hereby repealed to the extent of said conflict.

Section 6: This ordinance has been adopted frollowing a duly advertised joint public hearing of the Rlaeigh City Council and the Planning Commission following a recommendation of the Planning Commission.

Section 7: If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 8: This ordinance shall be enforced as provided in N.C.G.S. 160A-175.

Section 9: This ordinance shall become effective upon its adoption.

Adopted: 10/4/83

Effective: 10/4/83

END OF THE PLANNING COMMISSION CONSENT AGENDA

REZONING Z-95-83 - SANDY FORKS ROAD - DENIED WITHOUT PREJUDICE

This was a request for approval to rezone approximately 4 acres from Office and Institution-I to Neighborhood Business. CR-3009 from the Planning Commission recommends that the request be denied. Mr. Edwards indicated he had requested that the item be removed from the Consent Agenda pointing out the petitioner has stated he would like to have an opportunity to further discuss this request with the adjacent property owners and the adjacent property owners also would like an opportunity to further discuss the request. He stated in light of that he would moved that Rezoning Z-95-83 be denied without prejudice. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REZONING Z-97-83 - BLAND ROAD - REZONED TO SHOPPING CENTER - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 65,000 square feet from Office and Institution-II to Neighborhood Business.

CR-3011 from the Planning Commission recommended that Z-97-83 be approved as amended; that is, that the property contained in Z-97-83 be rezoned to Shopping Center.

Planning Commission Chairman Woodlief explained the proposal and the Planning Commission's recommendation. Mr. Edwards MOVED THE PLANNING COMMISSION'S RECOMMENDATION BE UPHELD. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 196 ZC 127.

MR. UPCHURCH ARRIVED AT THE MEETING AT 1:25 P.M.

REZONING Z-98-83 - WAKE FOREST ROAD - REFERRED TO THE COMPREHENSIVE PLANNING COMMITTEE

This was a request for approval to rezone approximately .9 acre from Office and Institution-I to Neighborhood Business.

CR-3012 from the Planning Commission recommended that Z-98-83 be approved as requested.

Planning Commission Chairman Woodlief explained the proposal and the Planning Commission's recommendation. Ms. Babb indicated she has had some concerns raised about this request and she would like to look at it more carefully. Therefore she would recommend that Rezoning Z-98-83 be referred to the Comprehensive Planning Committee. Her motion was seconded by Mr. Edwards and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REZONING Z-99-83 - WAKE FOREST ROAD - REZONE TO SHOPPING CENTER - ORDINANCE ADOPTED

This was a request for approval to rezone approximately one (1) acre from Office and Institution-II to Neighborhood Business.

CR-3013 from the Planning Commission recommended that Z-99-83 be approved as amended; that is, that the property contained in Z-99-83 be rezoned to Shopping Center.

Planning Commission Chairman Woodlief explained the Planning Commission certified recommendation. Mr. Edwards questioned why the Planning Commission amended the request and recommended shopping center with Mr. Woodlief pointing out that the land is undeveloped and site plan approval would be required if the property is zoned shopping center. Mr. Edwards moved the Planning Commission's recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) - 196 ZC 127

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Lynn Road, north side, between Six Forks Road and Bent Creek Drive, being Parcels 21 and 69, Tax Map 351, rezoned to Residential-10 District. (Z-94-83)

(b) Weybridge Drive, south side, between Litchford Road and Brookridge Court, being portions of Parcel 6, Tax Map 353, rezoned to Residential-4 District, according to map on file in the City of Raleigh Planning Department. (Z-96-83)

(c) Bland Road, east side, at the southeast corner of the intersection with Ollie Street, being Parcel 440, Tax Map 409, rezoned to Shopping Center. (Z-97-83)

(d) Wake Forest Road, west side, between Bland Road and Ollie Street, being Parcel 434, Tax Map 409, rezoned to Shopping Center. (Z-99-83)

(e) Poole Road, south side, between Peyton Street and Glenbrook Road, being Parcel 110, Tax Map 553, rezoned to Office and Institution-III down to the northern right-of-way of the proposed extension of Eastern Boulevard, according to map on file in the City of Raleigh Planning Department. (The portion of the request within and south of the right-of-way to remain Residential-10). (Z-100-83)

(f) Lynn Road, south side, between Six Forks Road and Keystone Drive, being portions of Parcels 30 and 65, Tax Map 351, rezoned to Conservation/Buffer according to map on file in the City of Raleigh Planning Department. (This is the 105-foot strip adjacent to Northclift Subdivision which was omitted from Z-84-83 request). (Z-101-83)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective on October 4, 1983.

Adopted: 10/4/83

TEXT CHANGE - 251 - OFF-PREMISES ADVERTISING REGULATIONS - ALTERNATE B APPROVED IN CONCEPT; PAUSE FOR PLANNING EXTENDED UNTIL NOVEMBER 4; SPECIAL COMMITTEE APPOINTED

This was a request for approval to amend Section 10-2066, Off-Premises Advertising Regulations, of the Raleigh City Code.

CR-3018 from the Planning Commission recommended that Alternative B of TC-251 be approved according to the ordinance attached to Certified Recommendation - 3018.

Mayor York presented the following suggestion on the Sign Ordinance and read it full:

"Approve Alternative B as the general framework for off-premises sign regulations. Agree in principal to adopt a new ordinance which is significantly more restrictive than the current ordinance. Extend the pause for planning to November 4, 1983. Recognize that there is strong public sentiment for substantial new restrictions.

Recognize that there are significant legal problems that must be addressed prior to adoption of an ordinance. Also recognize that some modifications to Alternative B may be needed.

Suggest that we set up a special committee to work out final ordinance Committee to consist of Mayor, Councilman Keller, Councilman Calloway, with assistance from City Attorney and Planning Director. Committee will have its report for adoption on November 3, 1983."

Mr. Edwards indicated he is going to support the suggestion as outlined by the Mayor and total. He indicated he feels all City Council members have gone on record in their belief on this issue and he believes that it needs to be resolved as soon as possible, but we do not need to rush into it. He stated he is concerned about legal implications of the billboard issue and possibly about the size of signs. Mr. Edwards moved approval of the Mayor's suggestion as presented. His motion was

seconded by Mr. Calloway. Various Council members agreed with the general concept of the Mayor's suggestion explaining their opinions. Mr. Upchurch indicated he is in accord with the Committee arrangement as he feels all City Council members will be allowed to attend and participate. He indicated however the first sentence of the Mayor's suggestion which states ". . . as the general framework for off-premise sign regulation" concerns him and if this sentence could be changed to read as follows ". . . in concept for off-premise sign regulations." He feels it would be better. Mayor York stated he had no problem as to him, it essentially says the same thing. Mr. Walters agreed with Mr. Upchurch indicating in his opinion, the words "general framework" means the total ordinance and he feels that the wording suggested by Mr. Upchurch would be better. Mr. Edwards and Mr. Calloway accepted Mr. Upchurch's wording as an amendment to their motion. Mr. Keller indicated as everyone knows, he is in support of Plan A, but he knows he does not have a second for approving Plan A. He stated he will support this change, pointing out as he understands it, if this motion is approved, that means the Council is approving the concept today. The motion as amended was put to a vote which resulted in all members voting in the affirmative except Mr. Jordan who voted in the negative.

COMMITTEES, COMMISSIONS AND BOARDS

GREENWAY COMMISSION - NO ACTION TAKEN

The City Clerk reported five terms expire October 20, 1983. Nominations include Eleanor Nunn, Julius R. Haywood, Juliette Newcombe, Lou Bryan, Dr. Tom Ellerman and David King. The Clerk indicated she has been informed by Ms. Nunn and Mr. Haywood that due to time constraints, they would not be able to accept a reappointment. Nominations have not been closed. Brief discussion took place about the possibility of appointing the four nominees which would leave one vacancy remaining. It was pointed out however, the present terms do not expire until October 20. No further action was taken.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - APPOINTMENT MADE: ONE VACANCY REMAINING

The Clerk reported two vacancies, one due to the resignation of Jessie Brinkley and the other due to the enlargement of this Committee. The only nominee thus far is Acie Ward. Nominations have not been closed. Brief discussion took place and Mr. Edwards moved that Ms. Ward be appointed by acclamation. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

YOUTH COUNCIL ADVISORY BOARD - NO ACTION TAKEN

The Clerk reported the term of Kay Letterman expired September 3, 1983. No nominations were made.

HOUSING APPEALS BOARD - NO ACTION TAKEN

The Clerk reported one vacancy for an alternate member of the Housing Appeals Board. This is a result of a recent ordinance enlarging the Board. No nominations were made.

TELECOMMUNICATIONS COMMISSION - NOMINATION MADE

The City Clerk indicated the Law and Finance Committee is making a recommendation on this item later in the meeting and the Council may want to hold the action until after that recommendation is acted upon. Mr. Jordan indicated the Law and Finance Committee is planning to hold the item in Committee as the Cable Administrator did not have an opportunity to attend the meeting and would like to have some input before the Law and Finance Committee makes its recommendation. He pointed out however, it is felt that nominations could continue for the Telecommunications Commission as the Law and Finance Committee is thinking along the terms of enlarging the Commission and combining it with the Cable Access Corporation. Mr. Jordan nominated Wayne Hurder.

Mr. Walters indicated he did not feel that the Council should be trying to accommodate the administrative staff. He indicated he has problems with some of the ways the Telecommunication Commission seems to be heading. He stated he has problems with specific job categories being designated for the Commission. He indicated he knew we had to have expertise, but he did not like the idea of an administrative staff person trying to appoint the Board, as this is the Council's prerogative. He stated if the Council allows the professional staff to select numbers, we are definitely headed in the wrong direction. He indicated he felt that Administration and the Cable Administrator should be advised that their capacity is advisory only and they should not be recommending people for Committees. Mr. Jordan indicated Mr. Thomas' concern is not about who is appointed to the Committee, he just want to look at the process of how the Committees are set up with Mr. Walters disagreeing, indicating he felt Mr. Thomas was working under some misdirection and it is not Mr. Thomas' Committee, it is an advisory committee for the City Council. Ms. Babb objected indicating the Council just recently set up a technical committee for Falls Lake and we looked at specific categories in that. She indicated Telecommunications Commission is going to be one of the most important committees that we have in the future. She indicated we have administrative staff to advise the Council and her

perception of what is going on indicates there is no misunderstanding. Mr. Walters stated he is not trying to be critical and he feels we should go ahead and appoint this committee. He stated in his opinion Mr. Thomas is trying to hand pick the Committee. No further action was taken.

ARTS COMMISSION - NOMINATIONS MADE

The terms of John H. Parker, Waltye Rusulala and Patricia Caple expire December 8. All are eligible for reappointment and their attendance record is good. Mr. Upchurch nominated Mr. Parker. Mr. Walters nominated Mr. Rusulala and Mr. Calloway nominated Ms. Caple. No further action was taken.

BOARD OF ADJUSTMENT - NOMINATIONS MADE

The City Clerk indicated she had received a letter of resignation from Donald Bryant, a regular member on the Board of Adjustment. She indicated Mr. Bryant was having to resign from the Board because of health reasons. Mr. Upchurch nominated Eugene Phillips, Yadkin Drive. Mr. Edwards questioned the procedure of moving an alternate member to the regular member's slot and then designating a new alternate member. He pointed out we do have alternate members on the Board, who have been serving and gaining experience and expertise and he feels it would be a good idea to move up an alternate member to regular membership and appoint a new alternate member. The City Clerk indicated the Council has done it both ways in the past and it would be a Council decision as to how they want to handle it. Brief discussion took place and Mr. Walters moved that we designate Tate Lanning as the regular member and declare a vacancy for an alternate member. Ms. Babb indicated she had absolutely nothing against Mr. Landing, but pointed out she did not realize that this vacancy was going to occur as it was not on the Clerk's memo. She stated she would rather wait and hold this until the next time, as she would like to look at the composition of the Board, etc. Brief discussion took place as to what procedure the Council would follow. It was agreed that the Council Members could nominate whoever they wanted to and if one of the alternate members was appointed a regular member, then we could declare an opening for an alternate; therefore the motion to designate the alternate member as the regular member was withdrawn. Mr. Edwards nominated Tate Lanning. Mr. Walters indicated he was very sorry to hear about Mr. Bryant's illness and the Council should send a letter to Mr. Bryant. The Clerk indicated she would do that along with a certificate of appreciation.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

UNFIT BUILDING - 427 PEYTON STREET - REMOVED

Mr. Jordan reported the Law and Finance Committee recommends that this item be removed from the Agenda with no action taken to declare the dwelling unfit as it is now in compliance with the City Code. On behalf of the Committee he MOVED THAT THE RECOMMENDATION BE UPHELD. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

UNFIT DWELLING - 3115 WILDER STREET - ORDINANCE ADOPTED

Chairman Jordan reported the Law and Finance Committee recommends adoption of an ordinance declaring the dwelling at 3115 Wilder Street unfit and directing that it be placarded. The property is in the name of Mary W. Holt and Oza Williams. On behalf of the Committee, Mr. Jordan MOVED THE RECOMMENDATION BE UPHELD. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) - 199

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT.

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 7, Chapter 4, Article G of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this Ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Inspections Superintendent, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Mary W. Holt and Oza Williams	3115 Wilder Street
Joseph A. and Perrin J. Carr	207 South Haywood Street

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It should likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This Ordinance shall become effective October 4, 1983.

Adopted: October 4, 1983

Effective: October 4, 1983

APOLLO HEIGHTS CENTER - SCOPE AND OWNERSHIP - MAYOR AUTHORIZED TO SIGN LETTER - REFERRED TO WORK SESSION

Chairman Jordan reported Council Members received in their Agenda packets a letter relative to the transfer of land and insurance proceeds from the Raleigh Housing Authority to the City of Raleigh as it relates to the Apollo Heights Center. The Committee recommends that the Mayor be authorized to sign the letter so that it may be submitted to HUD for their concurrence.

The Committee also recommends that this matter be referred to Work Session so that discussion may be held between the City Council and the Raleigh Housing Authority Board of Directors prior to the actual transfer of the land and insurance proceeds.

On behalf of the Committee Mr. Jordan MOVED THE RECOMMENDATION BE UPHELD. His motion was seconded by Mr. Keller an put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

CABLE ACCESS CORPORATION - ARTICLES OF INCORPORATION - HELD IN COMMITTEE

Mr. Jordan indicated without objection, he would ask that this item be held in committee to give the cable administrator an opportunity to have input prior to the Committee's recommendation. Without objection, the item was held in committee.

CD REHAB LOANS/GRANT - B-82-MC-008 - APPROVED

Chairman Jordan reported the Law and Finance Committee recommends approval of this $10,350 C.D. Loan/Grant to Catherine G. Phillips (Grant-$9,000; Loan-$1,350). On behalf of the Committee he MOVED THE RECOMMENDATION BE UPHELD. His motion was seconded by Mr. Calloway.

Mr. Walters indicated the Community Development Department has been criticized in the past for doing cosmetic loans/grant. He stated this house has only one problem to be corrected and two of the three administrative people who have to sign off on the loan/grant had recommended disapproval. He stated this is a very nice house, one of the nicest in the neighborhood, and in his opinion a loan would be questionable, but he feels a grant is entirely out of order. He stated he would just have to vote against this. Mr. Jordan pointed out the house does meet minimum standards but many times that is not adequate of what people want. He stated he sees nothing wrong with the City moving beyond minimum standards. Mr. Walters questioned how this item got in Committee to start with and this was discussed briefly. Community Development Director Wray indicated this house does meet minimum code requirements. He stated however the property rehabilitation standards are higher than minimum code standards and he feels when we go into an area and make improvements, we should make the improvements to get the house longevity. He stated the whole design behind the Community Development program is to give the housing stock longevity and he feels if we stick with minimum code standards, we would not be fulfilling that philosophy. Mr. Calloway indicated Administration did give a recommendation and two of the three people in administration recommended against the loan. He stated the Council is not bound by Administration's recommendation. He pointed out the Community Development philosophy is to try to upgrade a community, raise the standard of housing stock, etc. He indicated if we make this loan/grant, it doesn't deplete funds for others who wish to improve their property. He stated he saw no reason why a property owner couldn't bring their home up to exceed minimum standards as he feels that is desirable. Mr. Walters asked if no one is interested in hearing the comments from the two city people who voted against this, pointing out he just cannot understand this recommendation. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. THE MAYOR RULED THE MOTION ADOPTED.

WATER BILL- 407 MORRISON AVENUE - ADJUSTMENT AUTHORIZED

Chairman Jordan reported the Law and Finance Committee recommends that Administration be authorized to adjust this water bill to the extent that an adjustment would be made if the leak had occurred outside the house; that is, waive the sewer charges according to administrative policy for outside leaks with no adjustment being made to the water side of the bill. On behalf of the Committee Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway.

Mr. Edwards indicated recently the Council set a policy on adjustments to water bills. He indicated the affluent from 407 Morrison Avenue did have to go through the wastewater treatment facilities. He indicated he read the minutes of the Law and Finance Committee and other than the fact that it was clean water returning to the waste treatment facility, he saw no justification. Mr. Jordan explained the Committee just felt that this was a fair and reasonable recommendation. Mr. Edwards objected, pointing out we have a clear cut policy to state how high bills are adjusted and this does not fit into that policy. He stated this is not in line with the policy so he would have to vote against the adjustment. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Edwards who voted in the negative. THE MAYOR RULED THE MOTION ADOPTED.

CEDAR HILLS MASTER PARK PLAN - AMENDMENT AUTHORIZED

Chairman Jordan reported the Law and Finance Committee recommends amending the Cedar Hills Park Plan by deleting the proposed extension of Sweetbriar Street from its existing terminus westward. In addition, the plan should be amended to show a connecting road between Dublin and Cranberry by basically connecting these roads parallel to the park property line, and further amend the plan by reserving a right-of-way, free of any park structures, in the eastern section of the park so that, if at a later date the use of the park dictates the need for another street, it could be built on the eastern side of the park without doing away with any structures. On behalf of the Committee, Mr. Jordan moved the recommendation be upheld. His motion was seconded by Mr. Calloway. Mr. Jordan, utilizing the master park plan, explained the portion of Sweetbriar extended that would be deleted from the plan, the addition of the road between Dublin and Cranberry as well as the fact that we would reserve the right-of-way in the eastern part of the park. City Manager Zachary questioned if it would be okay to show a dotted line or something through the eastern portion of the park to indicate that a road may be built in that location with Mr. Jordan pointing out we should do whatever we need to do so that the land would be reserved for a future road and that no buildings would be built there. He pointed out to build the road as is on the plan now would cost us some $80,000 and there is no demonstrative need at this point. The motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

PU-1983-12 - SEWER MAIN - LYNN ROAD AREA - RESOLUTION ADOPTED

Chairman Edwards reported the Public Works Committee recommends adoption of a resolution directing this project with the sanitary sewer easement centered on the property line for a distance of approximately 150 feet southward and then be off the property of Mr. Wooten from that point, which would address the situation of Hinton Street where there is a dwelling on the lot fronting on Hinton Street. On behalf of the Committee, Mr. Edwards moved the recommendation be upheld. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 357

A RESOLUTION TO DIRECT THAT THE SANITARY SEWER SYSTEM OF THE CITY OF RALEIGH BE EXTENDED AND TO ASSESS COST AGAINST LAND ASSESSABLE THEREFOR

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that improvements be made and the cost thereof assessed against abutting property assessable therefor; and

WHEREAS, a preliminary resolution has been adopted by the City Council and a public hearing thereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statutes of North Carolina:

PU-1983-12 - Installation of approximately 7,200 feet of 8-inch sanitary main within Lynn Road, Hinton, Hunter and Lilac Streets and easements to serve the area in the southwest corner of Lynn and Creedmoor Roads. (The sanitary sewer easement centered on property line for a distance of approximately 150 feet southward and then be off the property of Mr. Wooten from that point, which would address the situation of Hinton Street where there is a dwelling on a lot fronting on Hinton Street).

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessment will be made according to the following method: Assessment on front foot basis in right-of-way and abutting footing in easements.

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

Adopted: 10/4/84

SEWER USE ORDINANCE - PERMIT TO BE ISSUED TO PINE STATE CONDITIONALLY WITH PROVISIONS

Chairman Edwards reported the Public Works Committee recommends that a permit be issued to Pine State Creamery with the provision for a review after six months to ascertain the status of their waste water. A work plan has been developed which should be a positive step for the reduction of fats, oil, and grease in their waste water effluent. On behalf of the Committee Mr. Edwards moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously.

REPORT AND RECOMMENDATION OF THE CIVIC CENTER AUTHORITY

CAROLINA REGIONAL THEATRE - DEFERRED UNTIL NEXT AGENDA

City Manager Zachary indicated that the Civic Center Authority is not ready to make a recommendation at this meeting and he would ask that this item be deferred until the next agenda. Without objection the item was so deferred.

REPORT OF THE RALEIGH TOMORROW TASK FORCE

RALEIGH TOMORROW TASK FORCE - ECONOMIC DEVELOPMENT POLICY AND IMPLEMENTING STRATEGIES - PUBLIC HEARING AUTHORIZED FOR NOVEMBER 3

Chairman Babb indicated the Raleigh Tomorrow Task Force has completed its initial effort to draft a recommended economic development policy and implementing strategy. She indicated Council Members received in their Agenda packet, a brief summary of the policy and strategy recommendations prepared by the Task Force. She indicated this included background, proposed policy, ten implementing strategies as well as a proposed resolution to amend the comprehensive plan by adopting an economic development element. She presented Council Members with a more detailed report entitled, "Economic Development Strategy for the City of Raleigh," dated October, 1983. He called on the Council to look at the information very carefully over the next few weeks. She indicated the detail report includes copies of the Committee's report and subcommittee's report, etc. She indicated Council members had been receiving information so they should have a lot of material on the economic development policy. She stated what she is recommending at this point is that the City Council accept this recommendation and schedule a joint public hearing before the City Council and the Planning Commission for November 3. He stated this would have to be considered as an amendment to the Comprehensive Plan. Her motion was seconded by Mr. Keller.

Mayor York indicated he felt the information presented includes excellent strategies. He stated he feels this process has worked very well and he would commend all involved with the Raleigh Tomorrow Task Force for the work that they have done. Discussion took place on what schedule we would be following with Mayor York indicating he felt that this Council is the one that should act on the economic development policy and strategy. Planning Director Chapman indicated if the public hearing is held on the third, the Planning Commission could consider it at the following meeting and hopefully have a report back to Council on November 15. Mayor York suggested that the item be submitted to the Planning Commission immediately and let them be familiar with it. He stated if a report could not be made back to the Council on November 15, he would like to consider scheduling a special meeting as he did want the present Council to act on this item. Planning Director Chapman indicated he would go ahead and present the information to the Planning Commission. Mr. Calloway stated he felt the strategies were very good, but indicated he would like to offer a slight amendment, and that is on the proposed policy, the last sentence he would like to amend by adding some words so that the sentence would read as follows: "In making this commitment, the Raleigh City Council recognizes the need to anticipate the implication of its actions on the City's economy and pledges its ongoing support to make sound economic development consistent with its adopted affirmative action policies an interval part of these actions. Ms. Babb accepted the additional wording relative to affirmative action policies as a part of her motion and the motion as amended was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE COMPREHENSIVE PLANNING COMMITTEE

QUAIL HOLLOW DRIVE - REQUEST FOR CUL-DE-SAC - APPROVED IN CONCEPT AND CONDITIONALLY

Chairman Calloway reported the Comprehensive Planning Committee recommends approval, in concept, of making Quail Hollow Drive a cul-de-sac provided that the involved property owners dedicate all needed right-of-way, petition the Council for construction of the cul-de-sac, and agree to accept assessment for the construction. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE INTERGOVERNMENTAL COMMITTEE

EXTRATERRITORIAL JURISDICTION - GARNER/RALEIGH - RESOLUTION ADOPTED

Chairman Upchurch reported the Intergovernmental Committee recommends adoption of a resolution directing a change in ETJ areas between the City of Raleigh and Garner, pointing out this resolution must be adopted by both Raleigh and Garner. Assistant City Manager Benton explained the areas under consideration which relates to an area in the vicinity of Jones Sausage Road and a second area on 401 South, in the area of the Purser Subdivision. Mr. Upchurch indicated the Intergovernmental Committee has met with Garner twice on this issue and he would move approval of the Committee's recommendation. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) - 358

A RESOLUTION TO AMEND THE EXTRATERRITORIAL JURISDICTION AGREEMENT BETWEEN THE TOWN OF GARNER AND THE CITY OF RALEIGH

WHEREAS, N.C.G.S. 160A-360(g) provides that extraterritorial jurisdiction agreements between municipalities may be modified from time to time by mutual consent of the legislative bodies concerned; and

WHEREAS, the Town of Garner and the City of Raleigh have agreed that their respective jurisdictions for planning and regulation of development purposes should be altered.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the extraterritorial jurisdiction agreement between the Town of Garner Town Council and the City Council of the City of Raleigh be modified to add a 725-acre tract west of U.S. 401 South now in Raleigh's jurisdiction to Garner's jurisdiction and realign Raleigh's common jurisdiction with Garner in the Jones Sausage Road area along 10,000 feet of the right-of-way of the proposed I-40 extension, which would place 375 acres west of I-40 into Garner's jurisdiction and 330 acres east of I-40 into Raleigh's jurisdiction as shown on the attached map which is hereby incorporated into this resolution and metes and bounds for each of the two areas drawn for both municipalities as follows:

REVISED RALEIGH EXTRATERRITORIAL JURISDICTION
U.S. 401 South Area

BEGINNING at a point in the existing (9/1/83) City of Raleigh Extraterritorial Jurisdiction Line, said point also being at the intersection of the center line of Steep Hill Creek and center line of Lake Wheeler Road (S. R. 1371); thence northerly with the center line of Lake Wheeler Road 4,670 feet ± to its intersection with the center line of Inwood Baptist Church Road (S. R. 1373); thence easterly and southerly with Inwood Baptist Church Road 4,080 feet ± to its intersection with the southern property line extended of Lot 5, Wake County Tax Map 655; thence easterly with the southern property line extended of said Lot 5, 1,862.12 feet ± to the southeastern corner of said Lot 5, said point also being in the western property line of Lot 8, Wake County Tax Map 655; thence southerly with the western property line of said Lot 8, 380 feet ± to the southwestern corner of said Lot 8; thence easterly with the southern property line of said Lot 8 and the southern property line extended of Lot 27, Wake County Tax Map 655, a distance of 1,350 feet ± to its intersection with the center line of the Norfolk and Southern Railroad right-of-way; thence northerly with the center line of the Norfolk and Southern Railroad right-of-way line 1140 feet ± to its intersection with the southern property line extended of Lot 2, Wake County Tax Map 656; thence easterly with the southern property line extended of said Lot 2, 3,880 feet ± to its point of intersection with the center line of U. S. Highway 401 south, said point also being in said existing City of Raleigh Extraterritorial Jurisdiction Line.

Jones Sausage Road Area

Beginning at a point in the existing (September 1, 1983) City of Raleigh Extraterritorial Jurisdiction Line, said point also being in the center line of Creech Road (S.R. 2564) and the southeastern property line extended of parcel 62, Wake County Tax Map 633; thence northeasterly along the southeastern property line

extended of Parcels 62, 63, 64 and 18 on Wake County Tax Map 633, 4,400 feet ± to a point on the western right-of-way of the proposed I-40 extension south of the Raleigh Beltline as shown on the North Carolina Department of Transportation Plan and Profile of State Highways, Wake County, "I-40 from Raleigh Beltline and Rock Quarry Road to approximately 1.3 miles southeast of U.S. 70," State Project No. 8.1475602; thence southeasterly with the controlled access right-of-way of said I-40 extension as shown on said right-of-way plans for a distance of 10,000 feet ± to a point of intersection with the northern property line extended of Parcel 16, Wake County Tax Map 659; thence easterly with the northern property line of said Lot 16, 6,200 feet ± to its point of intersection with the center line of Big Branch, a tributary of Walnut Creek, thence northwesterly with the center line of Big Branch 3,300 feet ± to its point of intersection with the southern property line of Parcel 102, Wake County Tax Map 660; thence westerly with the southern property line of said Parcel 102, 150 feet ± to the southwest corner of said Parcel 102; thence northerly with the western property line of said Parcel 102, 180 feet ± to its point of intersection with the southern property line of Parcel 9, Wake County Tax Map 634; thence southwesterly with the southern property line of said Parcel 9, 1,160 feet ± to a corner of said Parcel 9; thence northerly with the southern property line of said Parcel 9, 180 feet ± to its point of intersection with the center line of Popular Branch; thence southwesterly with the center line of Popular Branch 550 feet ± to its point of intersection with the center line of Auburn Church Road (S.R. 2548); thence northwesterly with the center line of Auburn Church Road 2,380 feet ± to its point of intersection with the center line of Jones Sausage Road (S.R. 2547), said point also being in said existing Raleigh Extraterritorial Jurisdiction.

REVISED GARNER EXTRATERRITORIAL JURISDICTION

U.S. 401 South Area

BEGINNING at a point in the existing (September 1, 1983) Town of Garner Extraterritorial Jurisdiction Line, said point also being at the intersection of the eastern right-of-way of U. S. 401 South and the northern right-of-way extended of S. R. 1374; thence westerly with the northern right-of-way extended of S. R. 1374 and the nothern property line of Lot 3 Wake County Tax Map 679 for a distance of 1,970 feet ± to the northwest corner of said Lot 3; thence westerly across the Norfolk and Southern Railroad right-of-way 100 feet ± to the point of intersection of the western right-of-way line of Norfolk and Southern and the southern property line of Lot 2, Wake County Tax Map 679; thence westerly with the southern property line of said Lot 2, 250 feet ± to a southwestern corner of said Lot 2; thence northerly with a property line of said Lot 2, 125 feet ± to an interior corner of said Lot 2; thence northerwesterly with a southwestern property line of said Lot 2, 1,240 feet ± to a southwestern corner of said Lot 2; thence northerly with the western property line of said Lot 2, 115 ± to its intersection with the center line of Steep Hill Creek; thence northwesterly with the center line of Steep Hill Creek 1,280 feet ± to its intersection with the eastern property line of Lot 31, Wake County Tax Map 655; thence northerly with the western property line of said Lot 31, 530.10 feet ± to the northeast corner of said Lot 31; thence westerly with the northern property line of said Lot 31, 161.75 feet ± to the northwest corner of said Lot 31; thence southerly with the western property line of said Lot 31, 425.20 feet ± to its intersection with the center line of Steep Hill Creek; thence northwesterly with the center line of Steep Hill Creek 3700 feet ± to its intersection with the center line of Lake Wheeler Road (S. R. 1371); thence northerly with the center line of Lake Wheeler Road 4,670 feet ± to its intersection with the center line of Inwood Baptist Church Road (S. R. 1373); thence easterly and southerly with Inwood Baptist Church Road 4,080 feet ± to its intersection with the southern property line extended of Lot 5, Wake County Tax Map 655; thence easterly with the southern property line extended of said Lot 5, 1,862.12 feet ± to the southeastern corner of said Lot 5, said point also being in the western property line of Lot 8, Wake County Tax Map 655; thence southerly with the western property line of said Lot 8, 380 feet ± to the southwestern corner of said Lot 8; thence easterly with the southern property line of said Lot 8 and the southern property line extended of Lot 27, Wake County Tax Map 655, a distance of 1,350 feet ± to its intersection with the center line of the Norfolk and Southern Railroad right-of-way; thence northerly with the center line of the Norfolk and Southern Railroad right-of-way 1140 feet ± to its intersection with the southern property line extended of Lot 2, Wake County Tax map 656; thence easterly with the southern property line extended of said Lot 2, 3,950 feet ± to its point of intersection with the eastern right-of-way line of U. S. Highway 401, said point also being in said existing Garner Extraterritorial Jurisdiction Line and Town Limits.

Jones Sausage Road Area

Beginning at a point in the existing (September 1, 1983) Town of Garner Extraterritorial Jurisdiction Line, said point also being in the center line of Creech Road (S. R. 2564) and the southeastern property line extended of Parcel 62, Wake County Tax Map 633; thence northeasterly along the southeastern property line extended of Parcels 62, 63, 64 and 18 on Wake County Tax Map 633, 4,400 feet ± to a point on the western right-of-way of the proposed I-40 extension south of the Raleigh Beltline as shown on the North Carolina Department of Transportation Plan and Profile of State Highways, Wake County, "I-40 from Raleigh Beltline and Rock Quarry Road to approximately 1.3 miles southeast of U.S. 70," State Project No. 8.1475602; thence southeasterly with the controlled access right-of-way of said I-40 extension as shown on said right-of-way plans for a distance of 10,000 feet ± to a point of intersection with the northern property line extended of Parcel 16, Wake County Tax Map 659; thence easterly with the northern property line of said Lot 16, 6,200 feet ± to its point of intersection with the center line of Big Branch, a tributary of Walnut Creek, said point also being in said existing Garner Extraterritorial Jurisdiction.

Section 2. That this resolution shall become effective immediately following its adoption by both governing bodies.

Section 3. Garner subdivision, zoning and building code regulations shall become effective in those areas being placed in Garner's Extraterritorial Jurisdiction upon application of zoning classifications, or January 2, 1984, whichever comes first. The zoning, building code and subdivision code of the City of Raleigh shall remian in effect in those areas until Garner zoning classifications are applied, or January 2, 1984, whichever comes first.

Section 4. Raleigh subdivision, zoning and building code regulations shall become effective in the area being placed in the Raleigh Extraterritorial Jurisdiction upon application of zoning classifications, or March 1, 1984, whichever comes first. The zoning, building code and subdivision code of the Town of Garner shall remain in effect in this area until Raleigh zoning classifications are applied, or March 1, 1984, whichever comes first.

Adopted by City of Raleigh: 10/4/83

Adopted by Town of Garner:

Effective: See Section 2 above

SIR WALTER RALEIGH AWARD - ROBERT HALLS COMMISSIONED

Chairman Upchurch reported the Intergovernmental Committee recommends that Robert Hall be commissioned to do the design work for the Sir Walter Raleigh Award to be presented at this year's Home and Garden Show. The Committee was advised the cost for the final design and overseeing the metal striking would be no more than $500. On behalf of the Committee he moved the recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 194 TF 6.

DOROTHEA DIX PROPERTY - INFORMATION RECEIVED; LETTER TO BE FORWARDED EXPRESSING CITY'S CONCERN

Chairman Upchurch reported the Intergovernmental Committee recommends that this item be removed from the Agenda. The Committee was advised by R. P. Webb, Deputy Director for Mental Health Programs, that Dix will stay intact under the new program with all services being consolidated on the east side of the campus and no reduction in type of service is being provided. Bed allocations will be 725 as opposed to the current 726.

No beds or programs will be deleted unless there are community facilities available to replace them. Any staff reduction will be handled by attrition. The Committee was further made aware of the need for more community facilities as an alternative to Dix.

The Committee recommends forwarding a letter to Dr. Morrow outlining the City's concern and request that the City be informed of any proposed future changes.

On behalf of the Committee, Mr. Upchurch moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Mayor York indicated the Intergovernmental Committee and particularly Chairman Upchurch has been responsible for working on the Dix land use program and plan. He indicated there was a meeting with Governor Hunt yesterday, and later in the meeting he would request that that plan be presented to the Council. He stated he would like to give credit to the Intergovernmental Committee, particularly Mr. Upchurch, for their efforts on the Dorothea Dix matter.

PACKAGE PLANTS IN THE ETJ - COUNTY PROGRAM FOR MONITORING - REFERRED TO PUBLIC WORKS COMMITTEE

Chairman Upchurch indicated it is recommended that this item be referred to the Public Works Committee to be included in the discussions of Perry Creek. (Council Members received in their Agenda packets a copy of regulations adopted by Wake County Board of Health and recommendations regarding water quality which will be reviewed at the next regular meeting of the Board of Health on November 14.) On behalf of the Committee he moved the item be referred to the Public Works Committee. His motion was seconded by Mr. Edwards and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION FOR THE NEW MUNICIPAL BUILDING COMMITTEE

MUNICIPAL BUILDING - CHANGE ORDER E-5 - BOLTON CORPORATION - APPROVED

Chairman Edwards reported this is a change order which is an addition of $2,980.00 to provide an induction loop sound system for the hearing impaired. The Agenda outlined the code accounts that would need to be amended if the change order is approved. He indicated this relates to a different type system that gets us away from the plug-in type hearing facility. Mr. Edwards moved that Change Order E-5 as well as the related transfer be approved. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 194 TF 6.

MUNICIPAL CHANGE ORDER G-6 - MID-SOUTH CONSTRUCTION COMPANY - APPROVED

Chairman Edwards indicated this change order is for an addition of $9,597.03 and is needed to provide a drop box at the northeast corner of the present Municipal Building to accommodate the public who may wish to pay water bills or traffic fines without entering the building. It will permit the closing of the current drive-in window at the present building as this building will be occupied primarily by the police on the first floor. This will reduce requirements for the personnel to man this window, but will require the public to enter the new municipal building if they wish to conduct business or make purchases of licenses, tag, permits, etc. He indicated we need to make provisions for this drop box at this time but it will not be operational until the new building is in place and open. Mr. Edwards moved approval of the change order as well as transfers to cover the change order. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

Mr. Edwards presented Change Order E-6 which is an additional for $606.00 and is needed to provide the minimum electrical work for the drop box as explained earlier. Mr. Edwards moved approval of the change order and the budget transfers to cover the change order. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 194 TF 6.

Mr. Edwards indicated Council members received attached to their Agenda a tabulation of change orders to date. He stated he feels in light of the amount of the original contract and the fact that we are building a new parking deck adjacent to the building and that came into place after the contracts were awarded on the Municipal Building and some of the change orders relate to work to coordinate the two. He stated he feels the architect has done a tremendous job in keeping the additions to a minimum. Mayor York questioned if we will be able to hold a meeting in the new building while this Council is in office. Mr. Edwards indicated the architect and everyone has been told that this Council wants to hold a meeting in the City Council Chambers and no one has backed off of that desire.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

GREENWAY PROPERTY - SHELLEY LAKE AREA - AUTHORIZED FOR PURCHASE; WALNUT CREEK AREA - CITY TO ACCEPT DEDICATION

Chairman Walters reported the Real Estate Committee recommends that the City purchase 29 acres of land owned by Key Homes, Incorporated located north of Shelley Lake and accepts dedication of 49 acres along Walnut Creek near the Worthdale Park. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Mr. Edwards. Mr. Walters, utilizing maps, explained the location of the property covered by the proposal. The motion as stated was put to a roll call vote and resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

DOWNTOWN EAST/EAST SIDE REDEVELOPMENT PLAN - REFERRED TO THE PLANNING COMMISSION - PUBLIC HEARING AUTHORIZED FOR NOVEMBER 3

Dave Betts indicated this is the beginning of the process for an amendment for the Downtown East/East Side Redevelopment Plan. He indicated shortly after this plan was adopted, the staff began a study known as the Downtown East Residential plan, pointing out it was distributed at the last Camp Durant Work Session. He indicated since that time the Private Sector Housing Committee report had been presented. Utilizing maps and charts, Mr. Betts explained this proposal as follows:

> "The City's Downtown East/East Side Redevelopment Plan provides a framework for subsequent project-specific amendments. The adoption of project amendments allows the City to undertake redevelopment activities in designated areas, in particular the acquisition of land through eminent domain.
>
> The Phase I Residential Site is within the Downtown East Area and has been designated by the City as a priority redevelopment project. The site encompasses two blocks bounded by New Bern Avenue, South East Street, South Bloodworth Street and East Hargett Street. There are thirteen residential structures and surface parking lots for approximately 175 vehicles on these blocks.

The proposed Redevelopment Plan Amendment involves the assemblage of approximately 2.2 acres for new residential development and associated house movings, clearance, relocation and public right-of-way improvements. Specific activities and costs are as follows:

(a)	Acquisition of 19 parcels (7 residential structures and approximately 70,000 square feet vacant or parking)	- $429,086
(b)	Relocation of 13 tenants, 1 owner and leased parking	- $139,000
(c)	Clearance of 4 structures and lots, and moving 2 houses	- $ 67,000
(d)	Rehabilitation of 3 publically acquired units and loan funds for private rehabilitation	- $180,000
(e)	Construction of public improvements around the site including street trees and lamps, sidewalks, curbing, utility taps and underground wiring	- $149,910
	Total Costs	- $964,996

Estimated revenues from the sale of land, houses and loan repayments will be approximately $625,000 for a net cost to the City of approximately $340,000. The source of funds to be set aside for total redevelopment costs will be:

'83 - 84' Community Development	- $500,000
'84 - 85' Community Development	- $500,000

Other proposed City actions include closing and vacating Morgan Street between East and Bloodworth Streets; rezoning the blocks from O&I-2 to R-30; reconfiguring several lots to form standard size parcels for existing and moved residences; setting design controls for new construction and enforcing rehabilitation standards for existing residences.

The anticipated adoption date is November, 1983."

Mr. Betts indicated the action requested of Council is for the Council to accept the plan and refer it to the Planning Commission to begin the process for review and adoption and authorize a public hearing for November 3. Mr. Calloway questioned how many of the homes are owner occupied with Mr. Betts pointing out all of the houses are occupied, however only one is owner occupied. Mr. Walters questioned what would happen to the parking that is being displaced with Mr. Betts pointing out roughly 175 spaces will be displaced and we need to do continued work on these details. In response to question, Mr. Betts indicated this would provide roughly 65 new residential units for middle or upper income living. Discussion took place on the procedure that has to be followed in this plan amendment with Planner Betts indicating the Planning Commission would have to make a recommendation prior to the public hearing. After brief discussion Mr. Walters moved that the Council accept the plan and refer it to the Planning Commission and authorize a public hearing for November 3, 1983. His motion as seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

RODENT CONTROL - PILOT PROJECT IN CITY PARKS - AUTHORIZED

City Manager Zachary indicated apparently the dry weather has caused the rodents in the City to migrant from their homes. He indicated recently he received a complaint about rodents and discussed it at a staff meeting and found that many of the departments had received complaints also. He indicated some of the rodents had become quiet vicious and have bitten dogs. Also the rodents are eating the bait the City puts out, the rodent dies, then a animal eats the rat and get sick. He stated we do have problems in our parks. He pointed out he is uneasy about putting the bait stations in the parks as the animals will eat the bait and sometime kids will play with the bait. He stated at this point he would ask the Council for an appropriation of $10,000 to do a program of trying to gas the homes of the rodents. He stated he does not know how much affect we can have, but he would like to try the program. He pointed out with the $10,000 we would try to gas the worse areas which would include Pullen Park, Golden Years Club House, Worthdale Park, Biltmore Hills, Sanderford Road Park, Southgate Park, Cowper Drive, Fallon Park, Beaver Dam, Nash Square and an area in the Norris/Brookside areas. He stated he would like the opportunity to try this program. Mr. Walters indicated he felt that this is a very good idea, pointing out he knew of one location that 11 bait stations were put out and a few days later, all of the bait had been eaten. Mr. Walters moved approval of the pilot program and the appropriation of $10,000. His motion was seconded by Mr. Keller. Mr. Keller pointed out that this is a national problem, and in the past, one of the leading agencies in trying to take care of the situation has been the Fish and Wildlife Commission. He stated they have maintained a man on NCSU Campus for sometime, pointing out this person is a rodent control specialist. He suggested that Administration contact the university and take advantage of any advice that they can provide in this area. City Manager Zachary indicated the staff would do this. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 196 ZC 127.

SHELLEY LAKE BRIDGE - SELECTION OF DESIGN ENGINEER - DAVID C. FISCHETTI - APPROVED

Approximately one year ago, authorization was granted by Council to solicit proposals for professional services to perform a feasibility study regarding a small bridge at Shelley Lake.

Administration has received proposals from several engineers and is recommending the selection of David C. Fischetti, P.E., to do a feasibility study concerning the bridge on the greenway at Shelley Lake.

The sewer line over one section of the Shelley Lake water surface near the elevated sewer line should receive attention. The Greenway Commission and the Public Utilities Department have indicated it is a problem that the Parks and Recreation Department should take the initiative to correct.

Mr. Fischetti's work would include the proper location of the bridge, types of material, and estimated cost. It is feasible to support the bridge on the same supports that keep the pipe in place. In addition to public safety, this would accommodate the completion of the greenway loop around the lake. Mr. Edwards moved the recommendation as outlined be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 194 TF 6.

BRIDGES - DEMOLITION, REPLACEMENT AND REPAIR - HELD UNTIL THE NEXT MEETING

City Manager Zachary indicated he would like to withdraw this item from consideration at this time. He indicated he had hoped that funds would be released from the State DOT and the Jobs Bill as this is the funding source for this project, however, they have not. He stated he would bring it back at the next meeting. Mr. Edwards questioned if there is any problem with the bids with City Manager Zachary indicating he did not think so.

PARK EXPANSION - WORTHDALE AND OPTIMIST CENTERS - EMPLOYMENT OF PROFESSIONAL SERVICES DELAYED

City Manager Zachary indicated the Parks and Recreation Director is proposing that the Council authorize professional service selection for the proposed expansion at Worthdale and Optimist Centers. He indicated the Council approved these projects in the 1984-85 Capital budget. City Manager Zachary indicated he would recommend that the professional selection be considered by the Council that takes office in December, 1983 as he would like to see the Council who makes the professional service selection see the project through. Mr. Edwards moved the City Manager's recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

WORK SESSION - OCTOBER - TIME CHANGED

City Manager Zachary indicated the October Work Session and the Downtown Business Development Workshop are both scheduled for October 20, 1983. He recommended that the Work Session be scheduled to start at 9:30 a.m. rather than 8:30 a.m. or be re-scheduled. He pointed out this is a one item work session and that is to discuss the Private Sector Housing Committee's report. It was reported that the approximate length of the work session would be 1½ hours. Brief discussion took place and Mr. Keller suggested the possibility of having the work session in one of the rooms at the Civic Center which would allow the Council members to attend the Downtown Business Development Work Shop as well as the work session without having to change buildings. After brief discussion, by general consensus, it was agreed that the work session for October would begin at 9:30 a.m. and Administration was asked to check the possibility of having the work session in the Civic Center.

REZONING HEARINGS - NOVEMBER - PROCEDURE ADOPTED

City Manager Zachary indicated as of September 30, deadline, the Planning Department had received 32 rezoning applications for the November 17 regularly scheduled zoning hearing. It was pointed out since the individual case time allowances have been revised to allow up to 16 minutes per case and since that would require more than 8 hours to conduct this many cases, the Planning Director is suggesting that the hearing be divided into two parts; the first nine cases all of which are in the northwest planning district to be heard at the regularly scheduled evening meeting of the City Council on November 15, with the second 23 cases being heard as scheduled on November 17. Brief discussion took place and Mr. Upchurch moved that the Planning Director's recommendation be upheld. His motion was seconded by Ms. Babb. Mr. Edwards indicated he can support this, but he feels that we need to look again at what we are doing on the zoning cases. He pointed out we went to the separate zoning hearings and six a year in order to save time; however, if we are going to start jocking the schedule, that may be it needs to be restudied. Mr. Walters indicated we haven't given the he new procedure a chance to work. He stated if we start changing the procedure now, he feels that we are heading for problems. After other discussion, the motion as stated was put to a vote with all members voting in the affirmative except Mr. Walters who voted in the negative. THE MAYOR RULED THE MOTION ADOPTED.

ASSESSMENTS - CITY CODE REVISION - AUTHORIZED

"Section 8-2033 - Assessments for extensions inside the corporate limits."

The above referenced section of the City Code includes as its last sentence the statement, "The City will bear the expense of replacing paving when it is necessary to cut the same to make the improvement." It is our belief that the intent of this original code verbage was to more correctly state that the City would bear the expense of resurfacing pavement. Further, it is our belief that the cost of pavement patch in the specific ditch areas is no less a portion of the cost of construction than the actual digging of the ditch itself and, therefore, should be included within the construction costs calculations.

Recommendation. It is recommended that the above referenced verbage be deleted from the City Code, Section 8-2033, and replaced with the verbage, "The City will bear the expense of resurfacing of the pavement when it is necessary." Therefore, the City Code could be brought into more direct accord with the intent of these sections. Mr. Upchurch moved the recommendation as outlined be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) - 200

AN ORDINANCE TO AMEND SECTION 8-2033 OF THE CITY CODE ENTITLED "ASSESSMENTS FOR EXTENSIONS INSIDE THE CORPORATE LIMITS"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 8-2003 of the Code be amended by removing the last sentence of said Section as follows: "The City will bear the expense of replacing paving when it is necessary to cut the same to make the improvement." This deleted sentence shall be replaced with the following:

"The City will bear the expense of resurfacing of the pavement when it is necessary."

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become efective October 4, 1983.

Adopted: 10/4/83

LEASES AND CONCESSIONS - STANDARD PROCEDURE - AUTHORIZED

On April 19, 1983, following discussions in the Law and Finance Committee, the City Council directed Administration to prepare a standard procedure for awarding concession leases. Two similar standard procedures are recommended; one for concession leases and the other for leasing property for use by the City. The key feature of the recommended procedures is the delegation of authority from the Council to the City Manager to approve and sign small leases. This aspect requires Council approval. The Council will retain authority for leases which have an annual cost or estimated revenue greater than $10,000 and for terms which exceed five years for property leases or three years for concession leases. The recommended standard procedures were enclosed in the Agenda backup material.

Recommendation. Approval by the City Council is recommended. Ms. Babb moved the recommendation as outlined be upheld. Her motion was seconded by Mr. Calloway and put to vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ADDENDUM

PERSONNEL - ZONING TECHNICIAN SALARY GRADE CHANGED - AUTHORIZED

Mr. Zachary indicated the current budget provides for a zoning technician in the Public Works Department. The approved salary grade is 29. The position has not been filled. It is recommended that the grade be changed from Grade 29 to Grade 28 to make the grade more compatible with other positions in the department. No funds would be required. Administration recommends approval of the salary grade change. Mr. Upchurch moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

TAXICAB OWNER'S PERMIT - APPROVED ON FIRST CONSIDERATION TO BE PLACED ON OCTOBER 18, 1983 AGENDA

The Addendum reported applications have been received from the following to operate a taxi and have been checked and meet the requirements of Section 12-2053 of the City Code. Administration recommends approval on the first reading with the understanding that the applications would be placed on the October 18, 1983 Agenda for second and final consideration:

Clyde Hood Johnson, Johnson Limousine Service (franchise renewal)

Johnnie Maryland Young, Young Taxi Company (franchise renewal)

Silas Webb, Jr., and Tracy Silvia Webb, Webb Limousine and Taxi Company (franchise renewal)

Mr. Calloway moved the recommendation of Administration be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

COMMUNITY DEVELOPMENT - BUDGET AMENDMENT - AUTHORIZED

The Addendum presented a budget amendment in the amount of $7,000 to provide funds for the Downtown Business Development Workshop. City Manager Zachary indicated this amendment is needed to "gather together" all of the funds necessary for the workshop. Ms. Babb moved the budget amendment as outlined be upheld. Her motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 193.

TRAFFIC - PERMIT PARKING AREA D - APPROVED

The Department of Transportation recommends that the following streets be added to a new residential permit parking area, Area "D." Petitions have been received and parking occupancy studies have been conducted on all streets requested. The streets meet the requirements of the City Code of 70% signatures on a petition, 70% parking occupancy, and 33% of the vehicles registered to location outside the study area. Heavy usage of on-street parking by Millbrook High School students has resulted in traffic flow problems and driveway blockage. It is felt this designated permit area will curb this nonresidential parking activity. It is requested that the ordinance be effective the date of adoption. The streets involved are as follows: Bason Court, both sides, in its entirety; Travianna Court, both sides, in its entirety; Quail Ridge Road, both sides, from Spring Forest Road to Court Royal Road.

Administration recommends approval of the recommendation. Mr. Calloway moved approval of the addition of the permit parking area as outlined. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) - 201

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 21 entitled, "CONTROLLED PARKING RESIDENTIAL AREA D" be amended by adding the following:

Bason Court, both sides, in its entirety

Travianna Court, both sides, in its entirety

Quail Ridge Road, both sides, from Spring Forest Road to Port Royal Road

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon the date of adoption, October 4, 1983.

Adopted: 10/4/83

CITY COUNCIL PRIORITY WORK ITEMS - RECEIVED

City Manager Zachary indicated Council members received, attached to their addendum, a copy of the status of the priority work items. Mayor York indicated he would be getting together with the City Manager this week to look at the status of the work items. He indicated it is possible that the Council may need to have some additional meetings to clear up some of these tasks. The item was received as information.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

CLAIM - BEVERLY MITCHELL - SETTLEMENT AUTHORIZED

City Attorney McCormick indicated he sent Council members a memo relative to a case he had discussed with Council members in executive session, that is Beverly Mitchell verses the City of Raleigh. He indicated at the Council's direction he has been able to negotiate a settlement and he would recommend paying a settlement of $6,250. Mr. Edwards moved the Attorney's recommendation be upheld and the funds appropriated from City Council contingency. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 194 TF 6.

REPORT OF MAYOR AND COUNCIL MEMBERS

FALLS LAKE - STATE ADVISORY COMMITTEE - MEETING ANNOUNCED

Mayor York indicated the State Committee on Falls Lake is having a Joint Committee meeting on October 7. He indicated Joe Grimsley had asked a number of groups to meet together and make a recommendation pointing out he plans to attend the meeting. He stated he feels it would be a good idea to have other Council members as well as an administrative staff person to assure continuity. Mr. Edwards indicated he planned to go and pointed out the City is convening its technical committee on October 6. Mayor York indicated he felt it would be good if Assistant City Manager Benton or someone from staff would attend the meeting.

DOROTHEA DIX - PROPOSED LAND USE - PRESENTATION MADE

Mayor York indicated he had an appointment with Governor Hunt yesterday and made a presentation on the City's proposal for the Dorothea Dix property. He stated he felt that this proposal should be made to the full City Council and the public.

Don d'Ambrosi presented a location map of the Dorothea Dix property showing its proximity to NCSU, Downtown and the Research Triangle Park as well as the RDU Airport. He presented an aerial photo of the area and explained the surrounding land uses as well as a map showing the proposal for the east campus and the concept to divide the property into the east and west campus. He indicated all the buildings would remain under this proposal. Mr. d'Ambrosi presented a map indicating the environmental factors on the property such as the floodway, floodway fringe, Walnut Creek, Rocky Branch, etc. Mr. d'Ambrosi presented the City's proposal which would call for a 123 acre east campus on which the hospital facilities would remain, a 25 to 30 acre tract for a Farmer's Marker, a 30 acre warehouse and distribution center, 137 acres that would remain in state government or university reuse, 412 acres of high tech and research facility, 327 acres of public open space which would include the conservation areas, floodway areas, park lands, Lake Raleigh and a 325 acre residential use area. He explained these components in detail.

Mr. Upchurch indicated he feels that anything that takes place on this property would have to be university oriented and the City's proposal for the research and high tech calls attention to that. Mr. d'Ambrosi presented Council members with a report explaining the report includes a letter from the university indicating people were interested in this type facility. He indicated they also included information to indicate this is not intended to be in competition with the Research Triangle Park, but to be supplementary and offer a choice.

Mayor York indicated he would like to commend staff for the fine presentation and report. He indicated this will take a lot of follow through activities, pointing out implementation of such a plan will be very complicated as it has to have so many different approvals. He stated however he feels we need to continue to push. He indicated the Governor was complimentary of the plans but did not endorse the plan as the Governor had to have an opportunity to discuss it with involved departments. He indicated we should continue following up and in about 30 days we need to approach the Governor again.

OPTIMIST PARK - REQUEST FOR INFORMATION

Ms. Babb indicated she had received a call indicating that Optimist Park swimming pool would be closed to the public between October 11 and October 21. She indicated this concerned a number of people and would like to have information as to whether this is correct and why. The item was referred to administration.

MT. HOPE CEMETERY - INFORMATION RECEIVED

Ms. Babb indicated she had received a call from a concerned citizen who indicated that the City had appropriated money to clean up Mt. Hope Cemetery and no work had been done. City Manager Zachary indicated some work has been done, however money was authorized in the Jobs Bill program to do additional work. He indicated that money has been held up, therefore the additional work had not been started but would be as soon as the money is released. The report was received as information.

RALEIGH HOUSING AUTHORITY - CONDITION OF PROPERTY - ADMINISTRATION TO GIVE A REPORT

Ms. Babb indicated she had received a call relative to property along the 500 block of Lenoir and Haywood Streets. She indicated she had been told that this property

belongs to the Raleigh Housing Authority and the property is not kept in an adequate state of maintenance. She indicated the adjoining property owners are concerned as they are required by the City to do certain things but the Housing Authority does not have to follow the same requirements. The item was referred to Administration for investigation.

SIDEWALK INSTALLATION - NEW BERN AVENUE - REFERRED TO PUBLIC WORKS COMMITTEE

Ms. Babb indicated she had received some calls of concern due to the lack of sidewalks along New Bern Avenue between Tarboro Road and Pettigrew Street. She indicated the concerns related to property on the right side if you are heading east on New Bern Avenue. Brief discussion took place and by general consensus the matter was referred to Public Works Committee.

SIDEWALKS - NORTH RIDGE SUBDIVISION - REFERRED TO PUBLIC WORKS COMMITTEE

Mr. Edwards indicated he would like to refer to Public Works Committee, an item relative to the lack of sidewalks in the North Ridge Subdivision. He indicated sidewalks were to be constructed in certain areas of the subdivision, however they have not been constructed at this point. He explained that there was a change in the sidewalk policy, however some of the people wanted to make sure that their sidewalk program was completed. Without objection the item was referred to Public Works Committee.

STREET IMPROVEMENTS - KILCULLEN DRIVE - BENEFITS AUTHORIZED TO BE ASSIGNED

Mr. Edwards indicated when the City purchased the Green Road Park property, there was an agreement made between the City and the previous owner that reimbursements are due for street improvements along Kilcullen Drive adjacent to the City property. He indicated the owner of that property now would like to assign whatever is due to him from the City to another party. City Attorney McCormick indicated he is familiar with this and the present property owner wants to assign whatever is due to him from the City to W. E. Jackson and Southern National Bank. He stated the proper agreement could be worked up. Mr. Edwards moved approval of this assignment. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

BUCKEYE TRAIL AND NEW BERN AVENUE MEDIAN - COMMENTS RECEIVED

Mr. Walters called the Council's attention to the dedication of another portion of the Buckeye Trail Greenway and urged Council members to attend the dedication. Mr. Walters also pointed out that he has been working for some time relative to a plan for replanting the trees that were removed from the median of New Bern Avenue. He stated we have just completed the plan and it looks very nice. The comments were received.

CABLEVISION SALE - COMPLAINTS - REFERRED TO ADMINISTRATION

Mr. Walters indicated he has had some complaints relative to a salesman from Cable TV that is misrepresenting the requirement for "black box." He indicated these calls come from the Lafayette/Mordecai area and the information he is receiving is that the salesman is telling people that if they do not buy the box they will have to take out Cable TV altogether. He stated they are being mislead to believe that they can't keep the basic minimum service unless they purchase the "black box." He stated he knows that this is not the company doing this but people they hire to make the sales, pointing out the salesman are on a commission basis. He asked administration to look into the matter.

CAPITAL TRAIL RUN - CITY TO UNDERWRITE PORTION OF COST

Mayor York indicated sometime ago the City approved utilization of city streets for the Capital City Trail Run. He indicated that First Federal Savings had also agreed to help underwrite the cost of the run, pointing out this is an effort to call attention to Raleigh's Capital City Trail. He stated the total race is costing over $10,000. He indicated in the City's approval of utilization of the streets for the race, there was a provision that they pay for the needed off-duty police officers that that cost would be $1,080.00. Mayor York indicated First Federal has asked for consideration of the City helping with this cost, pointing out the race will serve to educate the public on the Capital City Trail and call attention to the City's rich heritage. Mayor York indicated he would recommend that the City agree to split the cost of the policing for the race in half. That is, the City to absorb half of the cost. Mr. Edwards moved the Mayor's recommendation be upheld. His motion was seconded by Mr. Walters and passed unanimously.

PUBLIC SERVICE GAS FRANCHISE - REFERRED TO LAW AND FINANCE COMMITTEE

Mr. Jordan requested that the Public Service Gas Franchise agreement be referred to Law and Finance Committee. Without objection the item was so referred.

DRAINAGE PROBLEM - 2808 SYLVESTER DRIVE - ADMINISTRATION TO CHECK

Mr. Calloway indicated there is a drainage problem at 2808 Sylvester Drive. He indicated the City contracted to construct a drainage pipe so the water would go back to the creek. He indicated the City contractor started work but did not complete the

work and there is a large whole that is very dangerous. He stated this work should be completed and he would ask Administration to check into this situation. Without objection the item was referred to Administration.

REPORT OF CITY CLERK AND TREASURER

PRELIMINARY ASSESSMENT ROLL - 684 AND 1000 - RESOLUTIONS ADOPTED

The City Clerk presented Preliminary Assessment Roll 684 - Rose Lane and 1000 - Creech Road. The Clerk recommended that the Council adopt the preliminary assessment rolls which would set a public hearing to consider confirmation of cost at the November 3, 1983 Council meeting. Mr. Edwards moved approval of the preliminary assessment rolls as presented. His motion was seconded by Mr. Jordan and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 359

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

PAVING ASSESSMENT ROLL NO. 684
Powell Fund

WHEREAS, by Resolution No. 1981-486 adopted by the City Council on March 17, 1981 the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed:

Installation of curbs, gutters, drains and paving 31 feet back-to-back on Rose Lane from Poole Road to City Limits.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $76,162.93.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvement. The basis for the assessment is front footage.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	FRONTAGE	TOTAL STREET ASSESSMENT	DRIVEWAY REPLACEMENT COST	TOTAL ASSESSMENT
Estes & Blanch Barbee, Jr.	1	0042397	201.38	2,013.80		2,013.80
Robert C. Ballance	2	0003729	237.1	2,436.33		2,436.33
Dan G. Smith	3	0006001	100.0	1,000.00		1,000.00
Maggie Smith	4	0065270	100.0	1,000.00		1,000.00
Talmadge & Betsy House	5	0050084	100.0	1,065.33		1,065.33
John & Eugenia Cannon	6	0066704	66.66	666.60		666.60
John & Eugenia Cannon	7	0066704	66.67	666.70		666.70
Lewyn & Margaret Hayes, Sr.	8	0115960	66.66	666.60	116.80	783.40
Lewyn & Margaret Hayes, Sr.	9	0029587	150.0	1,500.00		1,500.00
Leroy & Carrie Miller	10	0047314	150.0	1,500.00		1,500.00

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	FRONTAGE	TOTAL STREET ASSESSMENT	DRIVEWAY REPLACEMENT COST	TOTAL ASSESSMENT
Clarence Templeton III & Preston Betha, Jr.	11	0028362	100.0	1,000.00		1,000.00
Ermon P. King, Jr.	12	0039197	100.0	1,000.00		1,000.00
Rachel S. McKenzie	13	0046028	100.0	1,000.00		1,000.00
Wanzo & Gwendolyn Hendriz	14	0026210	100.0	1,000.00		1,000.00
James A. & Berether Boyd	15	0005950	62.5	625.00		625.00
John & Mary Jerrett	16	0000082	62.5	690.33	258.40	948.73
Donald & Dorothy Ellis	17	0043444	125.0	1,315.33		1,315.33
Kenneth R. Jarman	18	0035123	402.0	4,020.00		4,020.00
Dennis A. Shafe	19	0084573	139.5	1,395.00		1,395.00
James H. Garner	20	0024258-9	164.94	1,649.40		1,649.40
Joseph Durand	21	0019559	100.36	1,085.27		1,085.27
T. Clayton Dixon & Wife	22	0018464	200.98	2,009.80		2,009.80
Lealand & Caroline Morris	23	0028014	99.34	993.40		993.40
John H. Ford	24	0010786	98.85	988.50		988.50
T. A. Pipkin	25	0016759	100.38	1,003.80		1,003.80
James & Gwendolyn Moore	26	0011249	99.76	997.60		997.60
Alonzo N. Edmonds	27	0020067-8	200.66	2,006.60		2,006.60
Donald E. Macon, Heirs	28	0043434	100.36	1,003.60		1,003.60
Joseph & Lucille Jacobs	29	0035052	100.38	1,210.69		1,210.69
Michael & Barbara Dunston	30	0071458	200.72	2,007.20		2,007.20
Lena E.S. Cross	31	0100019	105.1	1,051.00		1,051.00
Linwood & Mavis Johnson	32	0073292	100.0	1,000.00		1,000.00
Linwood & Mavis Johnson	33	0073293	100.0	1,000.00		1,000.00
Linwood & Mavis Johnson	34	0036146	100.0	1,065.33		1,065.33
Paul J. Connor	35	0014472	100.0	1,000.00		1,000.00
Luther & Ruby Brown	36	0009133	100.0	1,000.00		1,000.00
Luther & Ruby Brown	37	0092905	100.0	1,000.00		1,000.00
John T. Nash	38	0050120	100.0	1,065.33		1,065.33
Frances P. Randolph	39	0055211	200.0	2,000.00	309.20	2,309.20
Leonard T. Pace	40	0002787	100.0	1,000.00		1,000.00

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	FRONTAGE	TOTAL STREET ASSESSMENT	DRIVEWAY REPLACEMENT COST	TOTAL ASSESSMENT
Marjorie Putman & Carl E. Derry	41	0124816	200.0	2,000.00		2,000.00
Stanley & Marjorie Dunston	42	0009212	100.0	1,000.00		1,000.00
Robert & Alma Brown	43	0009213	100.0	1,000.00		1,000.00
Z. V. Cutler, Heirs	44	0016445	100.0	1,000.00		1,000.00
Richard & Patti McKenna	45	0010995	92.0	920.00		920.00
Joe & Beulah Callahan	46	0010994	80.0	800.00		800.00
Tommy & Rosetta Evans	47	0075431	85.3	853.00		853.00
Stephen & Geneva Hudson	48	0025077	80.0	800.00		800.00
Willie & Edna Lindsey	49	0042257	80.0	800.00		800.00
Gene & Bonnie Liles	50	0042132	85.0	850.00		850.00
Virginia Smith	51	0065635	151.6	1,516.00		1,516.00
Mary M. Maynard	52	0045232	100.8	1,024.33		1,024.33
Marshall P. Hedgepath & Etal.	53	0042274	102.36	1,039.93		1,039.93
Stephen R. Peele & Etal.	54	0054010	101.26	1,012.60		1,012.60
Charles & Doris Hubert	55	0052471	101.34	1,013.40		1,013.40
Norman K. & Evelyn Stanley	56	0001995	100.61	1,006.10		1,006.10
Ollis & Myrtle Griffin	57	0026680	198.89	1,988.90		1,988.90
Albert B. Dawson & Wife	58	0017274	100.58	1,005.80		1,005.80
John A. Ennis	59	0020906	99.93	999.30		999.30
Edward & Mildred Alling	60	0012005	99.48	994.80		994.80
Elizabeth E. Anderson	61	0067660	100.05	1,065.83		1,065.83
Mildred P. Ashburn	62	0002355	209.0	2,090.00		2,090.00
			7,470.0	75,478.53	684.40	$76,162.93
TOTAL COST OF PROJECT				$179,877.38		
TOTAL COST TO PROPERTY OWNERS				$ 76,162.93		
TOTAL COST TO CITY OF RALEIGH				$103,714.45		

Section 4. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160a-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That this Assessment Roll No. 684 is hereby ordered filed in the office of the City Clerk and treasurer of the City of Raleigh for public inspection.

Section 6. That a public hearing will be held on the 3rd day of November, 1983, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 7. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 10/4/83

RESOLUTION NO. (1983) - 360

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

WATER ASSESSMENT ROLL NO. 1000

WHEREAS, by Resolution No. 1983-230 adopted by the City Council on May 3, 1983, the local improvements hereinafter referred to were authorized and directd pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: Installation of approximately 65 feet of 12-inch water main within Creech Road beginning at the present dead end and extending southward 65 feet ±.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $576.25.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvements. The basis for assessment is front footage.

Section 4. That the following assessments are hereby declared against abutting property as follows: according to the average cost as determined by the City Council under authority contained in Chapter 315 of the North Carolina Session Laws, 1963.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	FRONTAGE ASSESSED	AMOUNT ASSESSED
James K. Creech	1	0091740		62.5	$ 576.25

Cost Per Foot: $9.22

Section 5. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at a rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually in the unpaid balance of the assessment.

Section 6. That this Assessment Roll No. 1000 is hereby ordered filed in the Office of the City clerk and Treasurer of the City of Raleigh for public inspection.

Section 7. That a public hearing will be held on the 3rd day of November, 1983, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such other tiem and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 8. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 10/4/83

SURPLUS PROPERTY - LOT 5 ROYAL STREET - RESOLUTION AUTHORIZING SALE - ADOPTED

The City Clerk indicated she would request permission to bring up an item relating to the sale of property on Royal Street at the night portion of the meeting. This was agreed to.

During the night portion of the meeting the City Clerk reported in 1982, the City Council declared Lot 5, Royal Street, Surplus property and authorized the sale of the property through the upset bid method with the beginning price being $5,500.00. Kathryn Shepard has made a bid in that amount and advertisement has taken place with no upset bids being received. The City Clerk recommended that the City Council adopt a resolution authorizing the sale of this property to Ms. Shepard for $5,500 and authorize the Mayor to execute the deed. Mr. Edwards moved approval of the Clerk's recommendation. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 365

A RESOLUTION TO AUTHORIZE THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF RALEIGH

WHEREAS, the City of Raleigh has acquired certain real property, said property being described more fully as follows:

Royal Street, Lot 5

WHEREAS, Kathryn Young Shepard has offered to purchase said property for the price of $5,500; and

WHEREAS, Chapter 160A-266 et. seq., of the North Carolina General Statutes permits the City of Raleigh to sell said property subject to upset bid provisions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

1. That the City Council on October 4, 1983 ascertained that all requirements of Chapter 160A-266 et. seq., have been followed in the proposed sale of the above described property.

2. That the City of Raleigh will sell the hereinbefore described property to Kathryn Young Shepard for the sum of $5,500.

Adopted: 10/4/83

MINUTES - SEPTEMBER 20, 1983 - APPROVED AS PRESENTED

The City Clerk indicated Council members received copies of the minutes of the September 20, 1983 Council meeting. There being no corrections, Mayor York announced the minutes approved as presented.

ADJOURNMENT

There being no further business, Mayor York announced the meeting adjourned at 3:50 p.m. to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

jt/CC3/CCFOUR

The City Council of the City of Raleigh met in regular reconvened session on Tuesday, October 4, 1983 at 7:00 p.m. in the City Council Chambers of the Municipal Building with the following present:

Mayor York, Presiding
Ms. Babb (Arrived Late)
Mr. Calloway
Mr. Edwards
Mr. Jordan (Arrived Late)
Mr. Keller
Mr. Upchurch
Mr. Walters

Mayor York called the meeting to order and the following items were discussed with action taken as shown.

REQUESTS AND PETITIONS OF CITIZENS

HISTORIC TREE - ST. GILES STREET - REFERRED TO LAW AND FINANCE COMMITTEE

Gerry Reichstetter was at the meeting to request the City to install a retaining wall to save a historic oak tree from dying. Mr. Reichstetter indicated he recently purchased a piece of property on St. Giles Street which is located off of U.S. 70. He indicated the property is across from St. Giles Presbysterian Church. He explained on his property there is a large oak tree that is about 70 to 80 feet high and some years ago when the City improved St. Giles Street, they had to cut so much that the roots are exposed about 8 feet. He indicated the dirt is eroding from the roots causing the oak tree to die and cause an erosion problem. He presented a letter from a tree expert that indicated the oak tree will die unless something is done to protect its roots. He also presented a letter from St. Giles Presbyterian Church indicating apparently they had a long historical emotional tie with this tree and would like to have it saved. He stated he is at the meeting to request the City to install a retaining wall on City property filled with dirt to protect the tree. He indicated the adjoining property owners have spent a considerable amount of money getting the tree trimmed and the dead limbs cut out. Mr. Keller indicated he would like to look at this in Committee, pointing out all trees have a perfect balance with their root system and it depends on how severely the roots are damaged as to whether the tree will die or live. Without objection the item was referred to Law and Finance Committee.

CAPITAL AREA TRANSIT SYSTEM - HIRING POLICIES - ADMINISTRATION TO ADVISE AVENUE OF APPEAL

Jesse C. Whitaker indicated he would like to discuss with the Council a matter that has been going on for some time and no one seems to have the guts to talk about it. He stated he had applied as a bus driver with the Capital Area Transit some 3 to 4 years ago. He indicated some of the applicants have to go a 100 or more times before they can get a job and many times it takes 3 to 4 years to get hired. He indicated when he goes in about his application, sometimes he is told to come back in 2 or 3 months as there are 4,500 applications. He indicated it seems that the City should appoint some type task force to check out what he is saying. He indicated there are drivers who can authenticate what he is saying. He indicated his present application to become a driver was filled in 1980. He stated about every Thursday he goes down to check to see why he can't get hired. He pointed out some of the drivers have said that they are planning to hire more white drivers. He indicated he would like the City to do whatever possible to get black people in the personnel department so they could help blacks get hired. Mayor York questioned if Mr. Whitaker has filed with EEOC.

City Manager Zachary indicated 49% of the CAT drivers are black. He indicated Mr. Whitaker filed a complaint with EEO and after City Coach Lines responded with their reasons for not hiring Mr. Whitaker with the data on the breakdown, EEO responded that the complaint had been withdrawn. Mr. Zachary also indicated that Raleigh City Coach Lines is a private corporation that the City of Raleigh has contracted with to provide the transit system for the express purpose of removing the City from direct management of its unionized labor force. Mr. Zachary indicated may be the best recourse is to having our Human Resources Department to meet with Mr. Whitaker to advise him of avenues he has. Without objection, the item was referred to administration to work with Mr. Whitaker.

STREET IMPROVEMENT - BLAND ROAD - RESOLUTION OF INTENT ADOPTED

A petition has been received which is signed by owners of 76.98 percent of frontage for the paving of Bland Road, eastward between the existing curb and gutter at Wake Forest Road. The next step, if the Council so desires, would be to adopt a resolution of intent which would set a public hearing for the November 3, 1983 Council meeting to consider the improvements. Mr. Upchurch moved adopted of the resolution as outlined. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 361

A PRELIMINARY RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO MAKE STREET AND SIDEWALK IMPROVEMENTS AS DESCRIBED HEREIN AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFOR, AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, there has been filed with the City Clerk and Treasurer of the City of Raleigh written petition hereinafter referred to, directed to the City Council, requesting the Council to make the respective improvements hereinafter described upon the street or streets, or parts thereof, hereinafter identified; and

WHEREAS, the City Clerk and Treasurer of the City of Raleigh has submitted said petitions to the City Council and has duly certified that the petition has been signed by a majority in number of the owners, or owners of a majority of all the lineal feet of frontage of the lands abutting upon the street or streets or parts thereof proposed in the petition to be improved, and that the petition is sufficient in all respects as required by Article 10 of Chpater 160A of the General Statutes of North Carolina, as amended, and pursuant to which the improvements have been petitioned;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the following improvements be made and that the cost thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended:

Installation of curbs, gutters, drains, and paving with 2-inch asphalt surface on a 6-inch stone base on Bland Road, eastward from Wake Forest Road between existing curbs and gutters.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e. the cost of one half of each streeet to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections the remainder of the total cost including street intersections to be borne by the City of Raleigh.)

Section 3. Sidewalk improvements shall be assessed according to property frontage and shall be assessed property on both sides of the street improved by an equal rate per foot of such frontage, however, the Council may direct that sidewalks be constructed on one side and assessed against property abutting both sides.

Section 4. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10, of Chapter 160A of the General Statutes of North Carolina.

Section 5. That the terms and manner of payment of street improvement assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of six percent per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 6. That the said improvements shall be done by contract after due notice and advertisement for competitive bids in accordance with provisions of Section 6.11 of the Charter of the City of Raleigh and other pertinent provisions of the Charter and of the General Statutes of North Carolina.

Section 7. That a public hearing on all matters covered by this resolution shall be held on the third day of November, 1983, at 7:00 p.m., or as soon thereafter as the matter can be reached, in the Council Chamber, Room 315, Municipal Building.

Adopted: 10/4/83

JOEL LANE HOUSE - REQUEST FOR GRANT - AUTHORIZED

Mrs. Francis E. Winslow, Jr., representing the Joel Lane House, Incorporated, was at the meeting to request a grant of $7,500 from the City to match a State grant in the same amount to be utilized for the restoration of the 18th century kitchen at the Joel Lane House. Mrs. Winslow indicated she had forward Council members information on the Joel Lane House, Incorporated, it's purpose, operation as well as the desire to complete the authentic restoration of the 18th Century Kitchen. She indicated the information included the expenditures to present on the house. She stated she would be glad to answer any questions. She pointed out they felt extremely lucky to be able to obtain this 18th Century kitchen, pointing out it was one of only two left in Wake County. Brief discussion took place and Mr. Upchurch moved approval of the $7,500 grant to come from City Council Contingency or some other source as recommended by administration. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 194 TF 6.

SEWER INSTALLATION - BALSAM DRIVE - REMOVED FROM THE AGENDA

William Stanley, 4101 Balsam Drive, had requested permission to discuss the condition of his property after the installation of a sewer line in his area. The City Clerk reported Mr. Stanley had called just prior to the meeting and indicated his problem has been resolved, therefore he would not appear before the Council. Without objection, the item was removed with no action taken.

SIGN ORDINANCE - CHURCH SIGN - REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

Reverend Tom Vestal, 3713 Edwards Mill Road was at the meeting indicating that he wanted to make a prepared statement on behalf of the Mt. Olivet Baptist Church. He stated prior to making his statement, he wanted everyone to understand that his statement is no way intended to prejudge any Council member. Reverend Vestal read the following statement.

> "For the sake of brevity and proper stewardship of our time may I say at the outset that I speak for all of the people of Mount Olivet Baptist Church, but call to your attention a goodly number of concerned Christians from other churches within our city who are equally affected by certain provisions of your ordinance regulating tract identification signs in residential and other areas.
>
> We are here tonight as Christians with the authority of the Scriptures to appeal and urge you to exempt, rescind, repeal, amend or in some other way change the present City Ordinance as it presently relates to the church.
>
> The record will indicate that Mount Olivet Baptist Church has been denied City approval of our plans to erect a sign of 16 sq. ft. in total area on our property at 3500 Edwards Mill Road. Denial is based on the City Ordinance that prohibits such organizations as ours from displaying any information except our name and street number.
>
> With your patient indulgence and undivided attention, I share the following:
>
> 1. The spirit of the Ordinance is well received in that is attempts to preserve and protect the natural and aesthetic beauty of our residential areas.
>
> 2. Mt.. Olivet has existed for 93 years within a 2-mile radius of its present location. She has been not only a part of the community but also a strong stabilizing influence therein.
>
> 3. Any ordinance or law considered, much less enacted, that would, or does, prohibit such a religious organization from its free exercise of even the posting of its hours of worship under the guise of "protecting the community" has certainly gone from the judicial to the ridiculous.
>
> 4. We would be the first to recognize the need for sound legislation and some type of control of outdoor advertising, especially in residential areas. We also recognize that all legislation is somewhat irritating if not downright offensive to some individuals or organizations, and almost everyone seeks and exception for themselves.
>
> 5. Making an exception is not the case at hand as authority over the local church should never have been relegated to this or any other judicial body; but is reserved in a special and sacred way for its head, Jesus the Christ, the Son of the Living God, our Savior and Lord whom the Scriptures say is the Head of the Church.
>
> 6. It has and shall continue to be our endeavor to render unto Caesar that which is Caesar's and unto God that which is His and His alone. To this end we prayerfully and respectfully ask you to take the necessary steps to remove this ordinance from our midst and to communicate with us the reasonable time frame for such action."

Mr. Calloway questioned if the Intergovernmental still has the sign ordinance in its committee. Mr. Upchurch indicated the item is still in Committee. He indicated when the City Council conducted the public hearing on billboards, there were representatives of the church at that meeting. He indicated he spoke to members of the church during the meeting and told them he would be happy to work with them if they would come to him and explain the problems, but advised them that the hearing on billboards relating to off-premises signage whereas their problem dealt with on-premise signage. He indicated he understands that the Church went to the Board of Adjustment and he hated they did that as he felt that the Council would be the best place to try to resolve or explain the problem. Reverend Vestal indicated they chose the route of going to the Board of Adjustment on the advice of the zoning inspector. Mr. Calloway moved that the request for Mt. Olivet Baptist Church be referred to the Intergovernmental Committee. His motion was seconded by Mr. Edwards and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED. Approximately 60 people stood in support of Reverend Vestal's remarks.

SUBDIVISION REQUIREMENTS - POWELL DRIVE AREA - REFERRED TO PUBLIC WORKS COMMITTEE

Thomas A. Blanton was at the meeting indicating he purchased some property in the Powell Drive area recently. He indicated this property is in the Sunset Terrace Subdivision which was developed in 1930 under a different set of subdivision requirements. He indicated the lots were 56 feet wide and 360 to 370 feet deep. He indicated the City Code under Section 10-3003 gives the definition of subdivision and lot. He indicated they are doing some recombination of the property and they will have a lot that is 90 feet by 90 feet and they would like for it to be determined a legal size lot under the City Code. He indicated he had received subdivision approval for the adjacent lot and he wants to move a house to this lot. Mrs. Helen Richards indicated she moved to 704 Powell Drive in 1936. She stated in 1939 she purchased two adjacent lots. In 1974 she sold one of the lots that was 140 x 90 to someone who could move the house and she got $1,500 for this lot. She indicated she had kept the remaining portion for her retirement. She stated when she came to the City to get permission to sell the lot or to see if she could change size, no one told him that the remaining lot would not meet code requirements. She stated this lot joins her property and she has paid water and sewer assessments, etc.

Mr. Edwards indicated he thought this section is being referred to by Mr. Blanton relating to lots in the 1949 City limits. He stated however he believes this City Council's policy on infill development is important and feels that some of these rules may need to be bent when we look at lot sizes. Therefore he moved that the matter be referred to Public Works Committee. His motion was seconded by Mr. Calloway and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

CAPITAL AREA TRANSIT - SERVICE TO WALNUT TERRACE AND CHAVIS HEIGHTS - REFERRED TO THE TRANSIT AUTHORITY

Mrs. Betty J. Burrell, 508 Branch Street indicated she was a member of Carolina Action. She stated she has a petition signed by some of the people in her neighborhood about some of the problems they have relating to traffic signs, etc. She indicated they are concerned with about what is going on in their neighborhood. She stated most of the people in the neighborhood depend on the CAT bus service and most senior citizens depend on it. She indicated the Transit Authority has taken the Chavis Heights bus and combined it to Walnut Terrace route. She stated they wanted the Chavis Heights bus back on their regular route. She indicated she met with the Transit Authority on April 27 and somebody had told them to take it to the City Council. Mr. Upchurch questioned if she is saying that they want the bus route changed back to what it was with Mr. Burrell indicating that was the concern. It was pointed out that there use to be a bus to Walnut Terrace and Chavis Heights with Mr. Upchurch indicating the Transit Authority combined these two routes as they thought it would improve service and maybe they should look at it again if the residents indicate it has not improved service. Without objection the item was referred to the Transit Authority.

JOINT HEARING BEFORE THE CITY COUNCIL AND THE PLANNING COMMISSION

MS. BABB ARRIVED AT THE MEETING AT 7:45 p.m.

CP-4-83 - HEARING TO CONSIDER THE DELETION OF WOODLAWN DRIVE - REFERRED TO THE PLANNING COMMISSION

This was a joint hearing before the City Council in the Planning Commission to consider the deletion of a portion of Woodlawn Drive from the major street plan of the Comprehensive, the proposal is known as CP-5-83. Members of the Planning Commission presents included Mr. Rice, Mr. Safran, Mr. Solomon, Mr. McNeely and Mr. Worth. Planning Director Chapman explained the request is to delete Woodlawn Drive from O'Neal from the collector street plan. He indicated the staff has reviewed this and because of development patterns and transportation demands in the area, they have no objection to the request as presented.

Dennis Priest, 4917 Professional Court, indicated he represented the subdivider of the property. He indicated when this item came to the City Council originally on September 7, there were residents from the Springdale Estates area who were in

support of the amendment. He stated he would be glad to answer any questions and asked the Council to consider a favorable disposition of this case. No one else asked to be heard, thus the hearing was closed and the matter referred to the Planning Commission.

It was pointed out the Planning Commission would adjourn to Room 308 to consider this request and would make a report back at the end of the meeting.

UNFIT BUILDINGS - AND DWELLINGS UNFIT FOR HUMAN HABITATION

UNFIT DWELLINGS - VARIOUS LOCATIONS - REPEALER ORDINANCES ADOPTED

Housing Inspections Supervisor Bartholomew indicated on September 6, Ordinance 1983-181 was adopted which declared the dwelling at 2104 Nelson Street unfit. He indicated the same ordinance declared the property of Mrs. S. L. Delaney at 1011 East Martin Street unfit. He stated both of these dwellings have been repaired, therefore he would recommend repeal of the ordinance as it relates to these two buildings. Mr. Bartholomew indicated on September 20, Ordinance 1983-184 was adopted which declared the dwelling at 1127 S. State Street unfit. He stated the property has been repaired by the owner, therefore that portion of the ordinance should be repealed. Mr. Walters moved repeal of the ordinances as outlined by the Housing Inspections Supervisor. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) - 202

AN ORDINANCE REPEALING A PORTION OF ORDINANCE NO. 1983-181 RELATING TO THE PROPERTY OF HENRY E. AND ALICE RICHARDSON LOCATED AT 2104 NELSON STREET AND MRS. S. L. DELANY LOCATED AT 1011 EAST MARTIN STREET, RALEIGH, NORTH CAROLINA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That part of Ordinance No. 1983-181 relating to the property of 2104 Nelson Street and 1011 East Martin Street and directing that the dwelling thereon be placarded or demolished is hereby repealed.

Section 2. It is the intent of this ordinance that no other portion of said Ordinance No. 1983-181 be affected in any manner whatsoever by the adoption of this ordinance.

Section 3. That a certified copy of this ordinance be recorded in the office of the Wake County Register of Deeds.

Section 4. This ordinance shall be effective October 4, 1983.

Adopted: 10/4/83

ORDINANCE NO. (1983) - 203

AN ORDINANCE REPEALING A PORTION OF ORDINANCE NO. 1983-184 RELATING TO THE PROPERTY OF WILLIAM A. AND JEANIE GLENN LOCATED AT 1127 SOUTH STATE STREET RALEIGH, NORTH CAROLINA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That part of Ordinance No. 1983-184 relating to the property of William A. and Jeanie Glenn located at 1127 South State Street and directing that the dwelling thereon be placarded or demolished is hereby repealed.

Section 2. It is the intent of this ordinance that no other portion of said Ordinance No. 1983-184 be affected in any manner whatsoever by the adoption of this ordinance.

Section 3. That a certified copy of this ordinance be recorded in the office of the Wake County Register of the Deeds.

Section 4. This ordinance shall be effective October 4, 1983.

Adopted: 10/4/83

MATTERS SCHEDULED FOR PUBLIC HEARING

PUBLIC NUISANCE COST CONFIRMATION - 700 CHURCH ROAD - REFERRED TO PUBLIC WORKS COMMITTEE; 316 S. SWAIN STREET - REFERRED TO LAW AND FINANCE COMMITTEE

This was a hearing to consider adoption of a resolution confirming charges for abating public nuisances as set out below. The charges, if confirmed, will become a lien against the land. The Mayor opened the hearing on each case:

700 Church Street - Keith M. Williams, D. J. Dudley, and Margaret H. Pipkins, property owners - $1,775.00.

Howard C. Dean of Raleigh indicated he was representing the property owners. He indicated the cleaning of this lot has been going on for about 1 year. He indicated he felt there had been some inequities and injustice that have taken place. He presented a letter dated December 10, 1981 to Beth Guthrie of the Housing Inspections Division. He gave a history of the zoning of this property pointing out it was zoned Residential-10, then 6, and now the property is split zoned. He indicated they had a hearing in 1980, at the suggestion of the Zoning Inspector and they came out of that hearing with the split zoned lot. This street is located on Centennial Road rather than Church Street. He presented a copy of his December 10, 1981 letter which he indicated was sent to Planning and Zoning and the Health Board, and he still has not gotten an answer. He indicated the abatement charge is a little high and everyone realizes that something should be done with the land as it is a nuisance. He indicated people continually dump on the property, but pointed out they got that stopped and started cleaning it. He stated it has not been thoroughly cleaned yet. He stated they got a copy of the bid tabulation and they do not feel that the work that was required has been done. He stated in his opinion there is no need to cut down the trees. He pointed out that the letters they received indicated they would have to cut 100 feet back from the property line and in many places this covers the entire lot. He stated he just would like to have his questions answered and some help on what he called inequities in this situation. Mr. Edwards moved the request to confirm charges for public nuisance abatement at 700 Church Street be referred to Public Works Committee. His motion was seconded by Ms. Babb and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

316 S. Swain Street - GNC Investment Corporation Property Owner - $136.00

Mayor York indicated there was a request that this item be referred to Committee. Mr. Edwards moved that the matter concerning confirmation of cost for abating public nuisance at 316 S. Swain Street be referred to the Law and Finance Committee. Without objection the item was so referred.

UNFIT DWELLING - 207 SOUTH HAYWOOD STREET - ORDINANCE ADOPTED; 1312, 1314 AND 1316 WALNUT STREET - WITHDRAWN

This was a hearing to consider adoption of an ordinance declaring the following dwellings unfit and directing that they be placarded. The Mayor opened the hearing on each case.

207 S. Haywood Street - Joseph A. and Perrin J. Carr property owners. No one asked to be heard. Mr. Calloway moved adoption of an ordinance declaring the dwelling unfit as requested. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Ordinance 199.

1312, 1314 and 1316 Walnut Street - A. B. and Fannie F. Jenkins property owners. Housing Inspections Supervisor Bartholomew indicated he would like to withdraw this from the Agenda. He stated it will be brought back to City Council at a later date if the repairs are not completed. He stated the notification to the property owner about the hearing was not timely. Without objection the item was withdrawn from the Agenda with no action taken.

UNSAFE BUILDING - 416 EAST HARGETT STREET - HEARING - ORDINANCE ADOPTED

This was a hearing to consider adoption of an ordinance finding the dwelling at 416 East Hargett Street unsafe and directing that it be demolished. The property is in the name of Winfred Ann Moss. The Mayor opened the hearing. Mr. Walters questioned the exact location with Housing Inspectors Supervisor Bartholomew explaining the location. No one asked to be heard, thus the hearing was closed. Mr. Calloway moved adoption of an ordinance declaring the dwelling unsafe. His motion was seconded by Mr. Upchurch and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

ORDINANCE NO. (1983) - 204

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 416 EAST HARGETT STREET IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 7, Chapter 4, Article D of the Code of the City of Raleigh, North Carolina and entitled "Unsafe Buildings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance, and

WHEREAS, the Building on said premises should be demolished as directed by the Inspections Superintendent for the reason that the same is an unsafe building as described in Part 7, Chapter 4, Article D of the Code of the City of Raleigh.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Inspections Superintendent of the City of Raleigh be and he is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

PROPERTY OWNER	LOCATION
Winfred Ann Moss	416 East Hargett Street

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Article IV of Chapter 7 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective October 4, 1983.

Adopted: 10/4/83

ASSESSMENT ROLL 682 - PEARTREE LANE - HEARING TO CONSIDER CORRECTION - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution correcting Paving Assessment Roll 682, Peartree Lane, to the end that the assessment against Lot 15 will be in the name of William D. Poe, Jr., rather than the NCSU Education Foundation Incorporated. The assessment is in the amount of $991.53. The Mayor opened the hearing, however no one asked to be heard, thus the hearing was closed. Mr. Walters moved adoption of a resolution correcting the assessment roll as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 363

A RESOLUTION TO CORRECT PAVING ASSESSMENT ROLL 682, PEARTREE LANE

WHEREAS, by Resolution No. 1983-329, adopted 8-16-83, the City Council confirmed Special Paving Assessment Roll 682.

WHEREAS, on the map attached to said assessment roll Lot 15 was shown as being the property of NCSU Education Foundation, Inc.

WHEREAS, the City Council now finds that Lot 15, was, at the time of confirmation of the assessment roll, the property of William D. Poe, Jr. and that the assessment should be corrected accordingly, as permitted by GS 160A-228; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Paving Assessment Roll 682 be and the same is hereby corrected, and the assessment against Lot 15 is made against William D. Poe, Jr.

Section 2. That the Revenue Collector is authorized and directed to correct the tax records by making appropriate entries thereon.

Adopted: 10/4/83

William D. Poe, Jr.
1604 Craig Street
Raleigh, NC 27608

$991.53

STREET IMPROVEMENTS - BARRINGER DRIVE - HEARING - REFERRED TO THE PUBLIC WORKS COMMITTEE

This was a hearing to consider adoption of a resolution directing the installation of curbs, gutters, drains and paving 31 feet back-to-back on Barringer Drive from Jones Franklin Road to Jones Franklin Road. The hearing is pursuant to petition, advertisement and notification as required by law. Chief Engineer Thomas explained the proposal. The Mayor opened the hearing.

Ron Normark, 8211 White Oak Road indicated he was in favor of the improvements.

E. B. Jones, 406 Jones Franklin Road indicated he was representing 9 people who are opposed to the improvements. He indicated 3 of these people signed the petition requesting the improvements, but also signed his petition opposing the improvements pointing out they were mislead. He stated until Jones Franklin Road is paved, he sees no reason to pave Barringer Drive. He pointed out Jones Franklin Road is in bad repair, full of pot holes, etc. John Hudson a resident of Jones Franklin Road indicated he owns houses on Barringer Drive. He stated he was the one who got this petition up and he had 61% of the property owners to sign the petition. He stated 3 people did not sign the petition. He indicated there is a swimming pool on Barringer Drive and a lot of traffic goes to it. He stated they have young couples moving in who want the street improvements. He indicated Mr. Normark is building an apartment building and people will not rent these houses unless the road is improved. He indicated there is so much dust on the road that people just will not rent on this street until something is done.

Joseph Swaill indicated he owns two duplexes. He is very much in favor of the improvements. He indicated it is a mess now and explained the biggest problem is that they have a number of absentee landlords who do not want to spend the money. He stated there is unbearable traffic already on the street and he feels something should be done. Joann Lail indicated she owns property on Deer Haven which runs off Barringer Drive. She stated Deer Haven has curb, gutter, pavement, etc., but Barringer is just a muddy or dusty street. She stated she has two beautiful duplexes and additional property that she wants developed but she can't do it until something is done about the street. She questioned the right-of-way on Barringer pointing out if it has to be widened, she felt it would have to come off of somebody else's property as she only has enough to develop. She stated however she is definitely for the improvements. Another gentleman indicated the property is only ½ developed and he feels it should be left like it is until the rest of the property develops. He indicated on Buck Jones Road you have to dodge the potholes. He stated he lives in a duplex on Jones Franklin Road and is not fighting the improvements on Barringer necessarily, but he feels that if the improvements are made before the development occurs then there would be potholes, etc. He indicated the ballpark and the swimming pool are always full and traffic is bad. He stated something needs to be done to Barringer Drive but he does not feel it should be done in advance of the development occurring. He stated in his opinion it would be a waste of money. He stated he has lived in this area some 20 years and the dust problem is not as bad as people seem to indicate.

Mr. Edwards pointed out Jones Franklin Road is a state maintained street without curb and gutter. He pointed out if the City improves Barringer Drive with curb and gutter then the City would maintain it. He indicated the normal procedure is to make the street improvements and then build the houses. The gentleman questioned water and sewer taps and if the street would not have to be cut up again. Ron Normark indicated he has an option on the Berk property which has some 440 feet of frontage on Barringer Drive. He stated he is going to subdivide the property and is working on developing it now and he will coordinate getting water and sewer in before the pavement occurs. A representative of the Weswyn Swim Club who indicated he lives at 1413 Lorimer Road indicated the swim club does not have a position, they just have a number of questions they would like to have answered. He questioned what the assessment would be, if there is a potential of the assessment increasing, whether there is adequate right-of-way, whether they will be able to have an extra large driveway, the drainage problem at the lower end and whether it will be corrected, etc.

The City Clerk indicated she just realized that the petition that was submitted for the improvements had the correct assessment cost, however the letters that went out to the property owners had the incorrect cost. Discussion took place as to whether a new hearing would have to be held with Mayor York indicating whether it is legally required or not, he feels that the process should start over. Discussion took place after which Mr. Edwards moved that the street improvements to Barringer Drive be referred to Public Works Committee. His motion was seconded by Ms. Babb. Discussion took place as to whether another public hearing would have to be held, after which the motion as stated was put to a vote and passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

PAVING AR 686 - WAKEFIELD STREET - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming cost for improvements to Wakefield Street according to charges outlined in Resolution 1983-332 adopted on September 6, 1983. Chief Engineer Thomas explained the improvements. The Mayor opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Walters moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED. See Resolution 364.

SEWER AR 999 - BLAND ROAD - HEARING - RESOLUTION ADOPTED

This was a hearing to consider confirmation of cost for sewer installation and Bland Road according to charges outlined in Resolution 1983-331 adopted on September 6, 1983. Chief Engineer Thomas explained the improvements and charges. The Mayor opened the hearing.

Mrs. Claude W. Brown, 3814 Bland Road indicated she has lived at this location over 35 years. She indicated on June 7, she came down to the City and paid what she thought was everything for the improvement. She stated she was not aware that anything else had to be paid. She stated they need some answers to their questions, pointing out she knows that they can pay these assessments over a 10 year period. Discussion took place on the difference in the assessment fees, acreage fees, and tap-on fees. Mayor York explained the differences in full, pointing out there is no duplication of fees. Mrs. Brown asked if there was any recourse. Another resident indicated she just did not understand all of the different fees and presented copies of her receipt. She stated $2,400 is a lot of money just to get a water and sewer line in front of the house. Chief Engineer Thomas explained the charges. No one else asked to be heard, thus the hearing was closed. Mayor York indicated if there was an error in any particular bill that could be corrected. Mr. Walters moved adoption of a resolution confirming the charges as outlined. His motion was seconded by Mr. Edwards and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 364

A RESOLUTION CONFIRMING SPECIAL PAVING ASSESSMENT ROLL 686 AND SEWER ASSESSMENT 999

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment roll and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to publish legal advertising, and following a public hearing of allegations and objections of all interested persons appearing and making proof in relation thereto at a meeting of the City Council for that purpose held on the 4th day of October, 1983, at the time and place fixed in accordance with statute, the City Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution Nos. 1983-332 and 1983-331 adopted on the 6th day of September, 1983, which assessments appear on "The City of Raleigh Special Paving AR-686 and Sewer AR-999," against the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment roll which is hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of this resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed as provided by Statute.

Section 3. That the terms and manner of the payment of the assessments herein provided for shall be as follows: That said assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with provisions of Article 10 of Chapter 160A of the General Statutes of North Carolian, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls payable annually upon the unpaid balance of the assessment.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by the City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

Adopted: 10/4/83

REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

CP-5-83 - WOODLAWN DRIVE - RESOLUTION ADOPTED

Planning Director Chapman indicated the Planning Commission had met on CP-5-83. He presented Council members with a Certified Recommendation with an attached resolution and map and read the findings and reasons. He indicated the Planning Commission recommends that CP-5-83 be approved. Mr. Walters moved the Planning Commission's recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. THE MAYOR RULED THE MOTION ADOPTED.

RESOLUTION NO. (1983) - 362

RESOLUTION TO AMEND THE COMPREHENSIVE PLAN

WHEREAS, the purpose of the Comprehensive Plan is to provide general guidance to City agencies, other public agencies, private individuals and organizations as they prepare detailed plans, programs and ordinances; and

WHEREAS, it is the intent of the City Council to maintain and, as conditions warrant, to amend this plan as the official statement of City Council Policy concerning the future development of the City of Raleigh; and

WHEREAS, existing developments prohibit the extension of Woodlawn Drive south of O'Neal Road as a through street; and

WHEREAS, a public hearing on proposed Amendment No. CP-5-83 was held before a joint meeting of the City Council and the Planning Commission on October 4, 1983.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAELIGH, NORTH CAROLINA:

Section 1. That the attached amendment, CP-5-83, be approved, deleting Woodlawn Drive extension south of O'Neal Road as a collector street from the Major Street Plan Map T-1, Page 59 of the Comprehensive Plan adopted by Resolution No. (1979) 949, on June 19, 1979.

Adopted: 10/4/83

AMENDMENT NO. CP-5-83

An amendment revising the Major Street Plan Map T-1, on Page 59 of the Comprehensive Plan adopted by Resolution No. (1979) - 949 on June 19, 1979, by deleting the extension of Woodlawn Drive south of O'Neal Road as a through collector street.

SUBDIVISION S-117-83 - SPRINGDALE ESTATES ADDITION - APPROVED

This was a request for approval to subdivide a 5.7 acre tract which is currently undeveloped into eight (8) lots, zoned Mobile Home. The property is located at the end of Woodlawn Drive, just east of O'Neal Road, outside the City Limits.

CR-2096 from the Planning Commission recommended that this request be approved according to the map entitled, "Springdale Estates Additions," the property of Robert D. King, drawn by Dennis Priest, dated August 19, 1983, with the condition that CP-5-83, Woodlawn Drive Collector Street Deletion, be approved by the City Council.

Planning Director Chapman indicated the City Council just approved CP-5-83 which would delete Woodlawn Drive from the Collector Street plan. Mr. Calloway moved that the Planning Commission's recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. THE MAYOR RULED THE MOTION ADOPTED.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:45 p.m.

Gail G. Smith
City Clerk

jt/CCFOUR